

bill amending the war-risk insurance act; to the Committee on Interstate and Foreign Commerce.

Also, petition of the adjutant general of the State of California, urging the passage of House bill 9694; to the Committee on Naval Affairs.

Also, petition of Charles E. Jacobs, of Oakland, Calif., urging the consideration of the bill providing for the cooperation of the States in the teaching of home economics and to provide appropriations therefor, and asking that it be amended; to the Committee on Education.

By Mr. HENRY T. RAINEY: Petition for the withdrawal of protection for persons engaged in the liquor business in foreign countries; to the Committee on Foreign Affairs.

By Mr. ROWAN: Petition of Walter Luttgen, of New York, N. Y., opposing such legislation as would limit the amount of return upon capital to the owners of railroad securities; to the Committee on Interstate and Foreign Commerce.

Also, petition of Luthuanian Societies League of Greater New York, favoring the independence of the Luthuanian Republic; to the Committee on Foreign Affairs.

Also, petition of Samuel L. Sargent, favoring House bill 10045; to the Committee on Military Affairs.

Also, petition of Foster Milburn Co., manufacturing chemists, favoring the Calder bill, Senate bill 3011; to the Committee on Agriculture.

Also, petition of National Equal Rights League, favoring the abolition of the obnoxious Jim Crow law; to the Committee on Interstate and Foreign Commerce.

Also, petition of Minnie E. Smith and Nellie W. Heilmauer, of Morningside Drive, New York City, urging certain legislation in the return of the railroads to private ownership; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Grand Lodge of the Benevolent and Protective Order of Elks of America, urging the enactment of House bill 1412, known as the Mondell bill; to the Committee on the Public Lands.

Also, petition of Thomas E. Rush, for the enactment of House bill 6577; to the Committee on Ways and Means.

Also, petition of Thomas E. Rush, favoring the LaGuardia bill, H. R. 6577; to the Committee on Ways and Means.

Also, petition of the Railroad Yardmasters of America, the Roadmasters and Supervisors' Association, the Railway Traveling Auditors' Association, and the National Order of Railroad Claim Men, for certain legislation for the return of the railroads to private ownership; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Public Vehicle Chauffeurs' Union, No. 625, of Washington, D. C., presenting their grievances; to the Committee on Rules.

By Mr. SIEGEL: Petition of Chamber of Commerce of the State of New York, favoring the protection of American citizens' investments abroad; to the Committee on Foreign Affairs.

By Mr. SINCLAIR: Petition of Queen City Lodge, No. 385, Brotherhood of Railway Clerks, Dickinson, N. Dak., protesting against the Esch railroad bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of Local No. 1049, Brotherhood of Railway Clerks, Williston, N. Dak., urging every effort to defeat the Esch bill returning railroads to private operation and protesting especially against the labor organizations liability clauses of said bill; to the Committee on Interstate and Foreign Commerce.

## SENATE.

TUESDAY, November 18, 1919.

(Legislative day of Monday, November 17, 1919.)

The Senate met at 10 o'clock a. m., on the expiration of the recess.

### TREATY OF PEACE WITH GERMANY.

The Senate, as in Committee of the Whole and in open executive session, resumed the consideration of the treaty of peace with Germany.

Mr. PENROSE. I suggest the absence of a quorum, Mr. President.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ball	Colt	Fernald	Gronna
Bankhead	Cummins	Fletcher	Hale
Brandege	Curtis	Frelinghuysen	Harding
Calder	Dial	Gay	Harris
Capper	Dillingham	Gerry	Harrison
Chamberlain	Edge	Gore	Henderson

Hitchcock	McCormick	Phelan	Stanley
Johnson, Calif.	McCumber	Phipps	Sterling
Johnson, S. Dak.	McKellar	Pittman	Sutherland
Jones, N. Mex.	McLean	Poincexter	Swanson
Jones, Wash.	McNary	Pomerene	Thomas
Kellogg	Moses	Ransdell	Townsend
Kendrick	Myers	Reed	Trammell
Kenyon	Nelson	Robinson	Underwood
Keyes	New	Sheppard	Wadsworth
King	Newberry	Shields	Walsh, Mass.
Kirby	Norris	Smith, Ga.	Walsh, Mont.
Knox	Nugent	Smith, Md.	Watson
La Follette	Overman	Smith, S. C.	Williams
Lenroot	Page	Smoot	Wolcott
Lodge	Penrose	Spencer	

Mr. McKELLAR. The Junior Senator from Arizona [Mr. ASHURST], the Senator from Kentucky [Mr. BECKHAM], the Senator from Montana [Mr. MYERS], the Senator from Oklahoma [Mr. OWEN], the Senator from North Carolina [Mr. SIMMONS], and the senior Senator from Arizona [Mr. SMITH] are detained from the Senate on official business.

The VICE PRESIDENT. Eighty-three Senators have answered to the roll call. There is a quorum present. The pending amendment is the amendment offered by the Senator from Utah [Mr. KING] to the amendment offered by the Senator from North Dakota [Mr. McCUMBER]. The amendment and the amendment to the amendment will be read.

The SECRETARY. The Senator from North Dakota [Mr. McCUMBER] proposes as an additional reservation the following:

The United States withholds its assent to Part XIII (articles 387 to 427, inclusive) of said treaty unless Congress, by act or joint resolution, shall hereafter make provision for representation in the organization established by said Part XIII, and in such event the participation of the United States will be governed and conditioned by the provisions of such act or joint resolution.

The Senator from Utah [Mr. KING] proposes as a substitute the following:

The United States withholds its assent to Part XIII, comprising articles 387 to 427, inclusive, of the said treaty of peace, and excepts and reserves the same from the act of ratification, and the United States declines to participate in any way in the said general conference, or to participate in the election of the governing body of the international labor office constituted by said articles, and declines in any way to contribute or be bound to contribute to the expenditures of said general conference or international labor office.

Mr. McCUMBER. On that I ask for the yeas and nays.

Mr. THOMAS. Mr. President, I shall vote for the substitute offered by the Senator from Utah to the proposed reservation affecting Part XIII. If that is defeated, I shall vote for the reservation offered by the Senator from North Dakota. Whether that reservation is adopted or rejected, I am compelled to cast a negative vote upon the treaty if it retains some articles of the part to which that reservation is directed unless they shall be materially modified by specific reservations directed thereto.

My understanding of the effect of the substitute is that it excludes Part XIII from the treaty, the Senate withholding its assent therefrom. I am convinced, as I have heretofore declared during the consideration of the treaty, that the United States can not afford to accept this part of the treaty and at the same time do justice to its own people and preserve unimpaired the institutions of the Republic. My apprehensions regarding the subject may be unfounded or unduly exaggerated, and I hope they are, especially if this treaty is to become the supreme law of the land. But if an investigation, attended by a sincere desire to approve the treaty, and to which I have brought a mind entirely free from prejudice, means anything to the individual, I am carried to that conclusion.

I have heretofore analyzed some of the articles in Part XIII. Some Senators did me the honor to give attention to my remarks and others, I hope, have since read what I then had to say. However that may be, I shall not weary the Senate by repetition except in so far as it may be necessary to make my attitude clear.

I am unable, Mr. President, to support the provisions of the treaty which in effect confers sovereignty upon each and every organization of employers and employees throughout the world, clothing them with several authority to summon members of the league before a tribunal of its own creation to stand trial as an ordinary litigant, bearing, of course, the consequences which the tribunal may dictate as essential to the observance of its judgment. It is a fundamental principle of constitutional law that the sovereign can not be sued by the subject. No association however strong, no corporation however extended its activities, can summon a State of the Union or the United States to the bar of any tribunal. And that is as it should be.

Some years ago, before this generation, a constitutional amendment was deemed essential that the States might be forever exempt from judicial proceedings instituted against them in the courts of the United States. The arguments upon which the need for that amendment was based are infinitely

stronger in support of the proposition that no organization, and particularly no foreign organization, should be clothed with such power; yet it is the fact that such a covenant appears in Part XIII of the treaty of peace.

I have had occasion, Mr. President, to emphasize the tendency of all of these organizations whenever social conditions, the supposed execution of an obnoxious law, or the laxity of executing a popular one to appeal to "direct action," as it is called, rather than to abide by the slower, more just, and orderly processes of the law.

Mr. HARDING. Mr. President—

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from Ohio?

Mr. THOMAS. I yield.

Mr. HARDING. I dislike to scold, but I came across the Chamber to sit immediately in front of the speaker in order to hear him, and I can not distinctly hear him even at this distance.

The VICE PRESIDENT. Well, the Senate prides itself on being a self-governing body, and the Chair does not feel called upon to sit here and hammer the desk all the while in order to get Senators to behave themselves.

Mr. HARDING. If the Chair will permit, then, I shall repeat the request for order from time to time.

Mr. THOMAS. Hence, Mr. President, I assert that this power, if granted, will be subject to continuous, chronic, and perpetual exercise, and especially against the principal allied and associated powers. They will be summoned not only in succession but by repeated contemporaneous complaints to answer charges of every description, thereby placing the sovereignties of the world in a continual and chronic state of defensive litigation, the expense of which we can neither foresee nor prescribe, unless as to ourselves the Congress shall emphatically refuse to enact financial legislation whereby the public revenues shall be diverted from their legitimate purposes to those I am considering.

The spectacle of Great Britain, the United States, Japan, Italy, and France, or even Siam and Liberia haled before a foreign tribunal to answer complaints made by societies foreign to themselves is so monstrous, both in its conception and in its consequences, that I am amazed that such provisions should have been tolerated, much less introduced, in a great world treaty, whatever their apparent necessity. Hence, Mr. President, any article of this treaty permitting such consequences or possibilities, supplemented as they are by others permitting single individuals as delegates to the general conference to do the same thing, should not, in my judgment, receive the approval of any Senator disposed to give a moment's reflection to the subject.

This proposed league of nations, according to its terms, is confined to members of the league, both present and prospective. Certain nations have been invited to join; others have not been mentioned; but the general labor conference, now in session, notwithstanding we are still considering the treaty, has received the delegates of three nations not members of the league into that body, two of them being enemy countries, the other, Finland, not yet receiving that recognition which is essential to enable it even to become a candidate for league membership. The misfortune is that in carrying out this policy the members or delegates to the conference have the sanction of a resolution of the peace conference at Versailles, expressly recommending that policy. If Finland can be admitted, so can Turkey, so can Russia, so can all peoples of the world pretending to have a government of their own. Our legislation can be controlled as to all matters of labor concern in the United States and our sovereignty can be haled before these foreign tribunals by delegates or by any delegate to the conference, whether such delegate represents members of the union or nations which are not members of the union.

To illustrate, the delegate or delegates from Finland may individually or collectively file complaint against the United States that it is not carrying out or effectuating some covenant or the recommendation made by the general conference and subsequently adopted by the various countries. Of course, I do not contend that the proposals for covenants or draft conventions, as they are called, by the general conference bind this Government until we shall adopt them; but when Brockdorff-Rantzau on the 22d of May protested against the incorporation into the league of Part XIII because its conference did not include all nations and also because the conference to be created was not given power of independent legislative action, Clemenceau, speaking for the conference at Versailles, answered that such power of independent legislation was recommended in a resolution adopted by the commission preparing Part XIII and intimated that the right of independent legislation was only a question of time.

I put a copy of that resolution in the RECORD of the 31st of October. The Labor Union Internationale, which is but another name for the international socialists of Europe, in their previous conference at Berne especially demanded that program, and they have followed it up by announcing that in the future the labor delegations to the conference who act under and by its direction, which, of course, means the exclusion of labor, except in so far as that body may be representative of certain organizations, intend to press, and will press, the extension of the provisions of Part XIII so as to give to the resolutions and enactments of the general labor conference *eo ipso* the power, force, and effect of international law. It is to that end we are drifting; it is to that end we will surely come, in my judgment, if by this treaty we erect one great class of people in the world into a separate body and endow them with independent legislative power, which means legislation inimical to everyone else, not only in the nations inside but the nations outside of the league. This, to my mind, constitutes through Part XIII a system which creates not a supernational composed of a class common to all countries, and recognized as possessing rights peculiar to themselves, requiring their own recommendations and their own legislation for their preservation and advancement.

Such a government would be sufficiently sinister if it were proposed seriously by this Nation as affecting itself or by a single State in the Union as affecting itself, much more as a grand world scheme, denominated by the President as labor's Magna Charta, yet bound in its operation either to deliver the world to the purposes of international socialism or by the enactment of class legislation, the adoption of which can be forced by the use of the boycott, the strike, or both combined, operating upon every nation whose people without the power or the will at whatever sacrifice to resist such innovation. The result is inevitable. The supernational becomes the supreme one or the subject nation must throw it off. In either alternative the peace of the world can not endure.

Mr. President, in my judgment, the way to avoid such possibilities is to begin at the beginning and take no chances. If Mr. Clemenceau speaks for France in his answer to Brockdorff-Rantzau, that is the concern of the French Republic, not ours; if he is authorized to speak for Great Britain, very good; but he should have no right to speak for us upon a subject involving our fundamental rights and ignoring our constitutional limitations. Only the judicial and legislative representatives and spokesmen of our own people may do so.

Mr. President, it is for these reasons particularly that I hope to see the substitute of the Senator from Utah adopted; and if not, then I ask the Senate to support the reservation offered by the Senator from North Dakota.

Mr. SMITH of South Carolina. Mr. President—

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from South Carolina?

Mr. THOMAS. I yield.

Mr. SMITH of South Carolina. I find a provision in Part XIII, bearing on the point the Senator has just been making, which reads:

If on a recommendation no legislative or other action is taken to make a recommendation effective, or if the draft convention fails to obtain the consent of the authority or authorities within whose competence the matter lies, no further obligation shall rest upon the member.

For instance, if the delegates of the United States did not agree to whatever resolutions or agreements the conference had reached, then, according to the provision I have read, there would be no further obligation.

Mr. THOMAS. Undoubtedly; undoubtedly; and that is the reservation which it is proposed by the resolution of those drafting this part of the treaty to repeal by clothing the recommendations of the general conference with the force of international law. Now, you tell me, and I concede it, that the operation of that clause of article 405 is a safeguard, to which we must cling if these reservations are to be rejected. But let me answer the Senator by putting a suppositious case.

Suppose that the general conference shall agree upon and recommend legislation to the members regarding some subject. It makes no difference what it is so long as it is within the purview of the general purpose of Part XIII to bring about strict uniformity of labor conditions throughout the world. It is passed by a two-thirds vote of the members interested in the adoption of such legislation or the acceptance of such a covenant, and we will say that behind it are Great Britain, France, Italy, Japan, Belgium, and our other competitor nations, and the United States refuses to accept it. What then? Does not the Senator know that the whole power and force of this international creation, the tremendous organizations behind it and with which ours are identified, because they are all international, will, by political and economic influences, bring pressure to bear upon



the Government of the United States to force its adoption? It may not succeed; but we can easily understand the social, industrial, and political disorders and upheavals and possible bloodshed which must inevitably follow the adoption and enforcement of such a policy.

Mr. SMITH of South Carolina. Mr. President, the point I was getting at was that in any event each sovereign power has the right to accept or reject; and if it rejects, then no obligation rests upon that sovereign power.

Mr. THOMAS. That is true; but that power is still subject to the pressure of those tremendous influences which are organized to make such recommendations universal, not only among the members of the league but among those nations which lie outside of it. And right there I call the attention of the Senator to the closing sentence in article 396. The functions of the international labor office constitute the subject of article 396, and it is there provided that—

Generally, in addition to the functions set out in this article it shall have such other powers and duties as may be assigned to it by the conference.

No limitation whatever is placed upon that grant of authority; and the general conference, by a majority vote—because the two-thirds required by Part XIII is limited to these recommendations for draft conventions—may endow the international labor office with powers and authority which, however unconstitutional and unheard-of, that body will exercise, if possible, and have behind it the united force of the class in whose interest and for whose benefit Part XIII is specifically designed and by whose representatives it was prepared; for when Mr. Gompers returned to this country he said: "The provisions of Part XIII were drawn by labor for labor." I am not criticizing that. The commission delegated to draft it were representatives of labor, and they would have been unmindful of their trust and of their responsibilities if they had not sought by every possible means so to frame these articles of Part XIII as to safeguard and promote the interests committed to their keeping and which they were designed to subserve.

But, Mr. President, I must pass from that subject to another before I resume my seat. At the risk of repetition, I want again to refer briefly to articles 423 and 426 of Part XIII.

Article 423 reads:

Any question or dispute—

Not some questions, but any question or dispute—

relating to the interpretation of this part of the present treaty or of any subsequent convention concluded by the members in pursuance of the provisions of this part of the present treaty shall be referred for decision to the permanent court of international justice.

Section 426 provides that—

Pending the creation of a permanent court of international justice, disputes which, in accordance with this part of the present treaty, would be submitted to it for decision will be referred to a tribunal of three persons appointed by the council of the league of nations.

If these articles mean anything—and the language is perfectly clear—they mean that we must surrender or delegate to a tribunal to be hereafter created, and pending its creation to a tribunal of three to be appointed by the executive council, every question or dispute affecting the interpretation not of the treaty but of this part of the treaty. Some of its provisions may be unconstitutional, or that question may be raised. Some of its provisions may seriously affect in their private capacity the lives or property or business of citizens of the United States. Some may involve great problems of international concern about which heretofore the judicial power of the United States had been invoked, and properly invoked, for their solution; but these articles would deprive the Supreme Court of the United States or the other courts created by Congress under the Constitution of their jurisdiction over such disputes or such questions, and transfer them in the first instance to the jurisdiction of a tribunal which may be composed of three foreigners, and ultimately to an international tribunal upon whose bench we may or may not be represented.

Mr. FLETCHER. Mr. President, may I ask the Senator if he thinks the decision of the council or the selection by the council of this tribunal of three persons would be accomplished by a majority vote of the council?

Mr. THOMAS. No, I do not; and that is comforting.

Mr. FLETCHER. Or would it take a unanimous vote of the council?

Mr. THOMAS. I have heretofore said the introduction of the principle of unanimity into this treaty, while it may prevent the creation of such a tribunal, is a principle which tends to make the whole scheme unworkable. The unanimity required as a condition of affirmative action by the Polish Diet was the prime cause of the collapse of the old Polish Kingdom, and here its operation will be challenged, fortunately, in an instance of this kind; but I do not think we should take any chances upon

that, for if the treaty is ratified, and the ratifications exchanged, our member upon the executive council, if he performs his duty as he should, must agree, because the treaty requires him to agree, to the creation of this tribunal. He may see to it that one American is upon it. He can not demand more than that; but, unfortunately, the principle of unanimity does not apply expressly to the action of the tribunal itself when created. In other words, this international tribunal or the temporary tribunal of three may decide and enforce its judgment by a majority vote or majority decision, just as the Supreme Court of the United States and other courts do.

But independently of that, Mr. President, I want to put the question fairly and squarely, particularly to the lawyers who occupy seats in this distinguished body—men of learning, men versed in the principles and practice of constitutional law and construction—whether the proposals involved in sections 423 and 426 do not conflict with the Constitution of the United States, in that we propose to delegate a part, a fundamental part, an indispensable part of the judicial power to a foreign tribunal?

"Oh," you may reply, "the Supreme Court of the United States will never permit that"; and I quite agree that until it degenerates to a degree that is unthinkable it will sustain the integrity of our institutions of the country and insist upon the exercise of their judicial functions. But, Mr. President, shall we escape our own responsibility and vote for two articles in this treaty that seem to infringe upon and violate the Constitution of the United States merely because we can take refuge and the country can take refuge in the ultimate action of the Supreme Court? We also have sworn to support the Constitution of the United States. Upon us, also, is the duty of vindicating the integrity of our institutions; and we can not, if we would, escape that responsibility by comforting our consciences with the reflection that we have passed it to the judicial authority, satisfied that they will sustain it with courage and unflinching devotion.

Mr. REED. Mr. President—

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from Missouri?

Mr. THOMAS. I yield for a moment.

Mr. REED. In what way could this question really get before the Supreme Court practically? I can conceive phases of it, but in its broad aspects, how could our Supreme Court protect us?

Mr. THOMAS. Mr. President, there are a number of ways in which the Supreme Court could acquire jurisdiction of the question, particularly if some recommendation or draft convention were adopted by the United States which was challenged by one of the States of the Union or by any particular line of commercial activity. I think they could question its application by assailing its unconstitutionality, and there are many other methods.

Mr. REED. I only wanted to direct the Senator's attention to that point. I assume that phases of it, details of it, could get before our Supreme Court; but if this thing is set up, if it undertakes its general broad purpose, can our Supreme Court afford us any adequate protection?

Mr. THOMAS. It can not afford us any immediate protection. At one time I flattered myself that the old doctrine of no wrong without a remedy was a rule admitting of very few exceptions. Of recent years I am somewhat doubtful of the universal integrity of that rule, but I will trust to the American people to devise methods, and effective methods, of securing a judicial interpretation of these parts of the treaty if necessary.

I am aware that the Supreme Court decided, and properly decided, some years ago, that the construction and operation of treaties, viewed as contracts between independent nations, are questions for the political departments of the contracting powers and not for the courts. Assuming the universality of that principle, there still remains the infraction of the exercise of that power, the power of political construction, by the delegation of jurisdiction of all these disputes and questions to this international tribunal. So it impinges not only upon the judicial power but upon the political power of construction, the chief one to be applied to treaties, except in case of disputes involving personal or general rights.

I am aware also, Mr. President, that many treaties in the past contained, and very properly contained, provisions for referring certain disputes between nations to the arbitration of tribunals either existing or to be named. But those are treaties establishing procedure for disputes that may arise independent of any treaty, as well as those arising under them. Questions of interpretation, disputes as to the application of the text of treaties, and, above all, the mighty question of the relation of the treaties

to the limitations of the Constitution are so clearly within the province of the judicial power of this country that it is not necessary to waste the time of the Senate in a citation of authority in support of the proposition. The fundamental fact stands out that by sections 423 and 426, applicable to only a part of the treaty, but a very important part, we propose to clothe a tribunal not yet created, and until created and filled to a commission of three to be appointed by some other power, to determine for all time and for us, regardless of their effect upon our institutions and our organic law, controversies of the most tremendous character, controversies of comparative unimportance, all controversies which are the subject of dispute or contention regarding this part of the treaty.

For one, Mr. President, I am unable in the absence of a reservation such as is suggested by the Senator from Utah [Mr. KING] to give the sanction of my affirmative vote to a treaty containing such a provision. We can not delegate any authority, executive, legislative, or judicial, to any custodians, foreign or domestic. They have been distributed by the organic act of the Republic. Only the people, through organic changes, can disturb them.

Mr. McCUMBER. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Harding	McNary	Simmons
Ball	Harris	Moses	Smith, Ariz.
Bankhead	Harrison	Myers	Smith, Ga.
Boah	Henderson	Nelson	Smith, Md.
Brandee	Hitchcock	New	Smith, S. C.
Calder	Johnson, Calif.	Newberry	Smoot
Capper	Johnson, S. Dak.	Norris	Spencer
Chamberlain	Jones, N. Mex.	Nugent	Stanley
Colt	Jones, Wash.	Overman	Sterling
Cummins	Kellogg	Owen	Sutherland
Curtis	Kendrick	Page	Swanson
Dial	Kenyon	Penrose	Thomas
Dillingham	Keyes	Phelan	Townsend
Edge	King	Phipps	Trammell
Elkins	Kirby	Pittman	Underwood
Fernald	Knox	Polinder	Wadsworth
Fletcher	La Follette	Pomerene	Walsh, Mont.
France	Lenroot	Ransdell	Warren
Frelinghuysen	Lodge	Reed	Watson
Gay	McCormick	Robinson	Williams
Gerry	McCumber	Sheppard	Wolcott
Gronna	McKellar	Sherman	
Hale	McLean	Shields	

The VICE PRESIDENT. Ninety Senators have answered to the roll call. There is a quorum present.

Mr. McCUMBER. Mr. President, I ask the attention of the Senate and each Senator for a moment, to explain the difference between the reservation which I offered and the substitute offered by the Senator from Utah [Mr. KING], and I shall take only a minute to explain the difference.

The real difference, Mr. President, is the difference between the use of an ax and an anesthetic in performing a surgical operation. Both have exactly the same effect in reducing the patient to a state of insensibility. The difference between the two, however, is that one kills while the other leaves open the door of hope. The Senator's substitute provides that—

The United States declines to participate in any way in the said general conference, or to participate in the election of the governing body of the international labor office—

And so forth.

The Senator from Colorado [Mr. THOMAS] was correct when he said the effect of it is a rejection of Part XIII.

The reservation which I offered reads this way:

The United States withholds its assent to Part XIII (articles 387 to 427, inclusive) of said treaty, unless Congress, by act or joint resolution, shall hereafter make provision for representation in the organization established by said Part XIII—

And that is not all—

and in such event the participation of the United States will be governed and conditioned by the provisions of such act or joint resolution.

Mr. President, there are a great many labor organizations which feel that some benefit might be derived at some time in the future by a world's conference on the question of labor and conditions of labor. They, I think, as a rule, do not want this particular part of the treaty; but I want to leave open the door so that at any future time the Congress of the United States may say to what extent we will enter into such a conference, and to what extent we will allow our representatives to bind us in any matter on such a conference.

I think that ought to be done. I do not want to offend needlessly any of these organizations which have a hope to secure some benefit. Therefore I think that while the two reservations both bring about the same result, and nothing can be done unless Congress hereafter provides the necessary legislation and governs and controls the right and authority by that

Congress, we ought not to say that we shall never have anything to do with the matter in any way, shape, or form. That is the real difference between the two.

I believe we can secure some good by an international labor conference, but it is not necessary that the Nation should be made subservient to any organization in order to secure that end.

Mr. MYERS. Mr. President, as between the ax and the anesthetic, so far as Part XIII of the peace treaty is concerned, I prefer the ax. I think it would be more effective.

I shall support the substitute offered by the Senator from Utah [Mr. KING] for the reservation offered by the Senator from North Dakota [Mr. McCUMBER]. I think it vastly better and more effective. If that shall fail to be adopted, then I shall vote for the reservation offered by the Senator from North Dakota.

If this supergovernment which is contemplated by Part XIII of the peace treaty should be erected, I think it would simply be an international body of official meddlers. I think it would be continually meddling with the industrial conditions of the world and would keep them in a continual stew and upheaval, in a condition of uncertainty, just as they are now in this country. I think it is intended for that purpose by some who are interested in it and think it would serve that purpose. I believe it is intended by the radical element of labor as a means to enable it to put its heel on the neck of the world just as it has its heel on the neck of this country to-day, and I believe it would serve that purpose. I believe it would afford constant opportunity for complaint against industrial conditions of the different countries of the world and be the means of bringing those countries to the bar of this supergovernment which it seeks to erect.

Mr. WILLIAMS. Mr. President—

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from Mississippi?

Mr. MYERS. I yield, with pleasure.

Mr. WILLIAMS. Of course I take it that the Senator has looked up the method of organization and membership of this international labor conference?

Mr. MYERS. Yes; I have read Part XIII.

Mr. WILLIAMS. It is proposed that the Governments are to appoint and the employers are to appoint and the employees are to appoint, which gives a two-thirds majority to the employers and the Governments, if united, or to labor and the representatives of Government, if they are united, or to the employers and the employees against the Government, if they are united. How could the radical element of the world in labor take possession of and control a body two-thirds of which are appointed, one half by the Governments of the world in their official capacity and the other half by the employers in equal number?

Mr. MYERS. Yes; I know all of that. Much would depend on who might represent the public. In the recent conference between capital and labor which assembled in Washington one of the representatives of the public was Mr. B. M. Jewell, who, I believe, said that if the President pursued a certain proposed course regarding the railroads last August they would be tied up so tight they would never run again. I understand Mr. William Bullitt and the Rev. Dr. Herron have also been representatives of this Government in international matters.

Mr. THOMAS. If the Senator will permit an interruption—

Mr. MYERS. Certainly; with pleasure.

Mr. THOMAS. I think it might be appropriate to add that when the commission prepared Part XIII and presented it to the conference at Versailles, signed by Mr. Gompers and the secretary of the league, the statement was made that, inasmuch as labor rather than the employers would probably control the Government delegates, they accepted that division of delegates.

Mr. MYERS. I think there is a strong probability of it. I think this tribunal would keep the industrial world in a state of perpetual stew, unrest, and uncertainty, and would thus interfere very materially with the reconstruction and development of the world.

I think most of these bodies of arbitration, compromise, mediation, and conciliation have that effect. I believe most of them result in more harm than good, because always there are certain to be very radical elements in those conferences, and, while they may not be in the majority, they have the opportunity to raise questions that neutralize any good that might otherwise result from the conferences.

I think that was the case with the conference recently called by the President between capital and labor which assembled in Washington. In that conference representatives of labor injected into it the issue of determining the steel strike and insisted that it be settled by that body in the way that the



strikers wanted it settled, and in doing so they simply broke up the conference and aborted and neutralized whatever good might otherwise have come from that conference, which was called, I have no doubt, for a good purpose and from the best of motives; but it resulted in nothing except harm. If that conference had not been called, I believe the steel strike would be ended to-day.

I think that is the way with most of these conferences in which it is sought to reconcile irreconcilable forces and interests.

There is a conference now going on in the city of Washington that, I believe, is likely to result in more harm than good. That is the conference between the coal-mine operators and the striking miners which is being conducted by the Secretary of Labor. The President of the United States, the Secretary of Labor, the Attorney General, and a high court have all declared that the coal strike is an unlawful strike. If I am correctly informed, the Secretary of Labor has said that the coal miners were working under a contract which has not expired, and which will not expire until peace is declared or until the 31st of March, 1920.

The Attorney General has said the same thing. Judge Anderson decided the same thing. If those declarations are true; if the President of the United States, the Secretary of Labor, the Attorney General, and Judge Anderson were right in their pronouncements upon the strike; if the strike is unlawful and in violation of contract, then those miners should have been told to go back to work and fill their contract, and should have been told that if they did not do so other laborers would be put in their places to work the mines, and that, if necessary, martial law would be declared and the United States Army would be called out to protect the strike breakers from interference. Instead of that they are called into a conference and apparently the Secretary of Labor is seeking to get for them a part of their demands in violation of their contract—not all of them, but a part of them.

I believe that such an example, if successful, will have a bad effect upon the country. It will encourage other workers who have contracts to strike in violation of their contracts, in the belief that the Department of Labor or some other mediating authority will call them into conference and that thereby they will get a part of what they are not entitled to under their contracts.

It will encourage men to act on the theory that if I sue a man for \$500, when I know he does not owe me a cent, some mediating board or power will call us into conference and advise the defendant that he would better pay me \$50 that he does not owe me than to hire a lawyer and go into court and defend the case, especially if I am not good for a judgment against me for costs.

In my humble opinion, if the Department of Labor would devote more effort to deporting anarchists and less to trying to get strikers engaged in an unlawful strike a part of their demands, which are inconsistent with the terms of their contract, it would be doing more good for the country. The coal situation, in my opinion, is a situation in which a little Grover Cleveland backbone would be useful. I believe it would be more beneficial to the country than all of the conferences that may be held.

I believe it would be just so with the proposed international conference if it were established. In my opinion it would afford an opportunity for the international industrial boycott and would enable the freaks, lunatics, and Bolsheviks of Europe to make all sorts of demands upon and complaints against the stable governments of the earth. Under it some socialist government in Europe might undertake to make trouble for this country because the infamous, red-handed murderer, assassin, anarchist, Tom Mooney, is not granted a new trial or a pardon, and might seek to bring this country to bar before this tribunal to defend its action.

Complaint might be made of this Government that it does not grant the demands of the steel strikers or the coal strikers or some other strikers. This country might have to go to the expense and trouble of appearing before this tribunal and defending itself for not having legislation demanded by strikers.

If we should have a nation-wide railroad strike, which we are liable to have at any time—and I see, by the way, it is reported that the Director General of Railroads has just put \$3,000,000 a month more upon the tax-ridden people of this country to go to the railroad employees in the hope of persuading them to postpone for a while the nation-wide railroad strike which they have declared inevitable unless they get all of their demands.

Thirty-six million dollars a year by a stroke of the pen, if reports be true, put upon the people and consumers of this country for the benefit of the railroad employees, notwithstand-

ing the railroads are being conducted by the Government, I understand, at a loss of a million dollars a day. As I started to say, if repeated and continued demands of railroad employees should not be granted, and there should be a nation-wide railroad strike, complaint might be made by some socialist government in Europe or some other part of the world that we were not granting legislation demanded by railroad strikers. Our country might be brought to the bar of this tribunal to answer to that. It would simply mean, I apprehend, an interminable and unending lot of strife and contention and commotion, disputes, and controversies, and the keeping of the entire industrial world in a chaotic state. Any European socialistic sniper could from that ambush fire a shot at the industries of any country of the world that he chose to try to stir up trouble for.

Mr. WALSH of Montana. Mr. President—

The VICE PRESIDENT. Does the Senator from Montana yield to his colleague?

Mr. MYERS. I yield, with pleasure.

Mr. WALSH of Montana. I have not studied this article with the care with which I should like to have studied it if I had had the time at my disposal, but I desire to say to my colleague that I have not been able to discover in my study of it that such a proposition as he suggests could by any possibility come before the tribunal.

Mr. MYERS. I have read this part of the treaty in full, but I have not read it recently and have not all of the details in my mind.

Mr. WALSH of Montana. I may say to the Senator that I can not think that he advisedly informs the Senate that all disputes respecting particular wages that should be paid to certain employees could come for adjudication before any tribunal constituted under this part of the treaty.

Mr. MYERS. As I have said, I have read the article in full with painstaking and care but not recently, and I do not remember all of its details. I will say, however—

Mr. WALSH of Montana. I inquire of my colleague if I am incorrect in this statement: The conference recommends a draft convention; it may make recommendations as to certain legislation or it may make a recommendation of a draft convention, which is practically a treaty. If we enter into a draft convention or a treaty, under which we obligate ourselves to pass certain legislation and we do not enact that legislation, then the particular member may be cited before the tribunal to show cause why it does not enact the legislation; or if it has enacted it and it does not carry it out, it may be cited before the tribunal. Is not that the limit of the jurisdiction of the tribunal?

Mr. MYERS. I was going to say that I was basing my assumptions upon statements made this morning on the floor by the Senator from Colorado [Mr. THOMAS]. I am not quoting him, but as I caught the drift of his argument it was that any government which was represented on the tribunal might make complaint against any other government, a member of the tribunal, that it had not lived up to any principle laid down by the tribunal.

Mr. WALSH of Montana. I will advise my colleague that there is not anything of the kind in Part XIII. It is simply provided that the conference may pursue one of two courses: It may either recommend legislation to the various members—which is a mere recommendation of legislation; they may adopt that recommendation or not, as they see fit—or it may recommend a draft convention, which is a treaty, proposing to the various nations that they enter into a treaty by which they shall obligate themselves to enact certain legislation. If they do enter into the treaty by which they obligate themselves to enact the legislation, and they do not enact the legislation or they do not enforce the legislation which they do enact, they can then be cited before the tribunal for adjudication. That is all. The only two questions that can come up are, first, did you enact the legislation that you agreed by treaty that you would enact, or have you enforced the legislation which you have enacted?

Mr. MYERS. I take it from my understanding of the matter that if a government is represented on the tribunal and the tribunal, by a majority vote, recommends the enactment of certain legislation, that government is bound by it, whether it agrees to enact the legislation or not?

Mr. WALSH of Montana. I am glad to correct my colleague about that. There is not anything of that kind in Part XIII.

Mr. MYERS. Then, my colleague informs me that a member nation can not be bound by anything in the way of legislation recommended by the tribunal to which it does not agree?

Mr. WALSH of Montana. To which it does not agree by treaty. I will read the article if my colleague will permit me.

Mr. MYERS. I shall be glad to have my colleague read the article.

Mr. WALSH of Montana. I read from article 405:

In the case of a draft convention—

Which is a treaty—

the member will, if it obtains the consent of the authority or authorities within whose competence the matter lies, communicate the formal ratification of the convention to the secretary-general and will take such action as may be necessary to make effective the provisions of such convention.

If on a recommendation no legislative or other action is taken to make a recommendation effective, or if the draft convention fails to obtain the consent of the authority or authorities within whose competence the matter lies, no further obligation shall rest upon the member.

Then, article 416 provides:

In the event of any member failing to take the action required by article 405, with regard to a recommendation or draft convention, any other member shall be entitled to refer the matter to the permanent court of international justice.

Article 417 reads:

The decision of the permanent court of international justice in regard to a complaint or matter which has been referred to it in pursuance of article 415 or article 416 shall be final.

That is, the matter which is to be submitted to the court of international justice.

Mr. MYERS. I take it under that, Mr. President, that if this Government should agree to enact legislation of a certain character and the tribunal was of the opinion or a complaint was made that this country had not carried out that legislation in a proper spirit or had not enacted it in the way it was intended by the tribunal, a complaint might be made against this country and it might be brought to bar by the tribunal.

Mr. WALSH of Montana. The Senator is quite right.

Mr. MYERS. So it would be a question of whether this country had carried out the spirit of the decree of the tribunal, and the tribunal would be the judge as to whether this Nation had carried out its spirit and enacted the legislation in the way that the tribunal thinks it ought to be enacted and whether or not the acts of this country complied with the interpretation of the tribunal.

Mr. WALSH of Montana. Mr. President, my colleague has been very kind to me in permitting interruptions.

Mr. MYERS. I gladly yield further to my colleague.

Mr. WALSH of Montana. But let me say to my colleague that is just exactly the case with respect to every other treaty that we make with any nation. If we do not carry out the treaty, the other nation can cite us before the league to show cause why we did not carry it out.

Mr. MYERS. I do not know of any other tribunal, however, which assumes the power, scope, and jurisdiction to make recommendations about any and all kinds of social legislation and to be the judge of whether or not it is enacted in the spirit that was intended. This provision covers a broader scope, a wider field, and gives rise to the possibility of more misinterpretation and more trouble, I think, than the provisions of any other treaty ever entered into by any nations of the earth. It extends to any and all subjects which it may take up, which may relate in any way whatever to the cause of labor or anything incidental or appurtenant to it; and it seems to me that it offers a more potential field of trouble, of complaint, and of controversy than any other international agreement that ever was contemplated in the world. Whether or not complaint or charges would properly come within its provisions, there would be nothing to prevent meddlesome delegates from attempting to make them and thereby stir up trouble. I believe it would give rise to endless trouble. All sorts of fantastic notions might be agitated and advocated. Any nation which is a member of the league might lodge complaint against this country that it had not carried out some decree of the tribunal in the manner in which the tribunal thinks it should be carried out, and if the decision, as I understand, should be against this country it would be in the power of the other members of the tribunal to institute a boycott against this country, to punish it in various ways, to inflict damage upon its industries, upon its commerce, and upon its prosperity in divers ways. I do not know that all of those means would be invoked or would result in detriment to this country if employed, but I think they would be the source of trouble, dispute, and expense and would inject into our national life a new instrument of mischief, an element of interference by the outside world which has never existed before and which would be very detrimental. As I have said, I think that a great many conferences for purposes of mediation, conciliation, and adjustment result in a great deal more harm than good, and I believe the detrimental results of this part of the treaty, if ratified, would surpass those of all other treaty provisions of which we have any record or which are now contemplated or any conference in which we might engage.

Mr. HENDERSON. Mr. President, the objections to Part XIII, the labor part of the treaty with Germany, seem to be based on a fundamental misconception both as to the object and the effect of its provisions. I shall not attempt to enter into a general discussion of its specific provisions, as time will not permit, but shall briefly relate the circumstances in which the conception of the labor organization arose.

Mr. President, the idea of an international organization for the discussion of labor problems is by no means a new one. The need for such an organization was recognized long before the war. The severe competition which existed in the industrial field made it difficult for one nation to adopt improvements in labor conditions which might increase the cost of production if its rival held back, thereby preventing progress. The United States, Great Britain, France, and other advanced nations in labor thought and action were working by experiment, research, and along other lines for the improvement of labor conditions. These activities were directed toward perfecting safety devices, recreation, preventing industrial disease, and in other ways, but they were working independently. Cooperation and coordination only existed to a small extent. The work which was being done in one country was only imperfectly known in others, though some attempt had been made by the interchange of official publications to diffuse knowledge on the subject. Some small progress toward international action in industrial matters had already been made: (1) By negotiations between States, for example, the agreement between France and England in regard to the compensation of workmen for accidents under their compensation laws; (2) by the agreements made at Berne in 1906 at a conference convened by the Swiss Government in regard to the prohibition of the employment of women at night and the prohibition of the use of yellow phosphorus (the cause of a dangerous industrial disease) in the manufacture of matches. Further agreements of a similar kind were under consideration when the war broke out.

The war produced great changes in the labor situation. Labor had shared to the full the sufferings of the war, and also the burden of carrying it through, both in the field abroad and in the workshops at home, and in all countries demands were being made by labor not only for the prevention of war in the future but for the insertion of provisions in the treaty of peace which would bring about a reconstruction of social conditions and give labor a new status and a new hope. Public opinion in all the countries recognized the great contribution which labor had made toward the successful issue of the war; and there was, I think, a widespread desire that, if possible, there should be no return after the war to the worst social evils of the past. The unrest among labor was a very serious fact which had to be taken account of and dealt with. The task before the allied and associated Governments in Paris was to meet the desire of labor for a new status and new conditions by methods of evolution.

It was out of the conditions above mentioned that the conception of an international labor organization arose. Labor in England, France, and other countries was asking for the inclusion in the treaty of peace of the "labor program" which had been drawn up before the close of the war and for the participation of labor in the peace negotiations. This course, for obvious reasons, was impossible. The rejection of this proposal by the peace conference was a proof of their desire not to encroach on national rights or offend national susceptibilities; but it was possible to devise an organization which would deal, progressively and with full knowledge of all the circumstances and conditions, with proposals for the improvement of labor conditions. This was the task entrusted to the labor commission of the peace conference which was presided over by Mr. Gompers, and its recommendations were adopted unanimously by the allied and associated powers at Paris. These recommendations were framed after the representatives of labor in the United States, England, France, Belgium, and some of the other countries had been consulted, and representatives of labor were included on the commission.

Mr. President, the following countries were represented on this commission. The United States of America, the British Empire, France, Italy, Japan, Belgium, Cuba, Poland, and the Czecho-Slovak Republic.

The American delegates were Mr. Samuel Gompers and Mr. E. N. Hurley, and the substitutes Mr. H. M. Robinson and Dr. J. T. Shotwell, professor at Columbia University.

The leading ideas in the scheme proposed by the commission and embodied in the peace treaty are (1) cooperation between the nations in the progressive improvement of labor conditions; (2) the summoning of a labor conference, in which all the parties interested—Governments, employers, and workers—should be represented and should discuss freely and independ-



ently the ways in which that improvement could be secured. The method adopted is the method of agreement, not compulsion; of free discussion and negotiation, in which labor equally with the other interests is given full opportunities of making its views known and getting its claims considered. In other words, it is an application to the industrial sphere of the free representative institutions for which the United States and Great Britain have long stood in the political sphere. No alternative scheme was submitted either to the commission or to the peace conference itself, except the impossible proposals of the extreme labor section, which asked for a labor parliament on which labor was to have half of the total representation, and the decisions of which were to be binding on all Governments.

Mr. President, the rejection of this plan would be to weaken the moderate and responsible elements in labor who desire an orderly evolution and to strengthen the hands of the Bolshevik element, who are trying to persuade the working masses that improvement can only come by upheaval. The Bolshevik element have no love for the plan and would gladly see it defeated.

It is suggested that some of its provisions violate the United States Constitution. I am informed that its application to the United States and other States with a Federal constitution was carefully considered at Paris, with the help of the legal experts of the United States delegation, and that the provisions of article 405 were modified for the express purpose of adapting them to our Constitution. By those provisions it was intended that international conventions in regard to any labor matters which fall within the jurisdiction of the State governments, and not the Federal Government, would require the sanction of the State governments before they could become operative.

In that connection, I desire to read a paragraph from the report of the commission:

The American delegation, however, found themselves unable to accept the obligations implied in the British draft on account of the limitations imposed on the central executive and legislative powers by the constitutions of certain Federal States, and notably of the United States themselves. They pointed out that the Federal Government could not accept the obligation to ratify conventions dealing with matters within the competence of the 48 States of the Union, with which the power of labor legislation for the most part rested. Further, the Federal Government could not guarantee that the constituent States, even if they passed the necessary legislation to give effect to a convention, would put it into effective operation, nor could it provide against the possibility of such legislation being declared unconstitutional by the supreme judicial authorities. The Government could not therefore engage to do something which was not within their power to perform and the nonperformance of which would render them liable to complaint.

Mr. President, I ask unanimous consent to have the following two paragraphs of this report printed as part of my remarks.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The matter referred to is as follows:

The commission felt that they were here faced by a serious dilemma, which threatened to make the establishment of any real system of international labor legislation impossible. On the one hand, its range and effectiveness would be almost fatally limited if a country of such industrial importance as the United States did not participate; on the other hand, if the scheme were so weakened as to impose no obligation on States to give effect to, or even to bring before their legislative authorities, the decisions of the labor conference, it was clear that its work would tend to be confined to the mere passage of resolutions instead of resulting in the promotion of social reforms with the sanction of law behind them.

The commission spent a considerable amount of time in attempting to devise a way out of this dilemma, and is glad to be able to record that it ultimately succeeded in doing so. Article 19 (same as article 405 of the treaty) as now drafted represents a solution found by a subcommission consisting of representatives of the American, British, and Belgian delegations specially appointed to consider the question. It provides that the decisions of the labor conference may take the form either of recommendations or of draft conventions. Either must be deposited with the secretary general of the league of nations, and each State undertakes to bring it within one year before its competent authorities for the enactment of legislation or other action. If no legislation or other action to make a recommendation effective follows, or if a draft convention fails to obtain the consent of the competent authorities concerned, no further obligation will rest on the State in question. In the case of a Federal State, however, whose power to enter into convention or labor matters is subject to limitations, its Government may treat a draft convention to which such limitations apply as a recommendation only.

Mr. HENDERSON. I desire to read just one extract from the last paragraph:

The exception in the case of Federal States is of greater importance. It places the United States and States which are in a similar position under a less degree of obligation than other States in regard to draft conventions.

It is also suggested that the plan is an invasion of the domestic affairs of the United States. The answer is that the United States will have perfect freedom to accept or to reject any convention that may be submitted by the international labor conference.

Objection is made to the provisions in the treaty as to the enforcement of labor conventions. Without some guaranty of the observance of agreements the scheme must necessarily fail.

The provisions are most carefully safeguarded against vexatious and unfounded complaints and the steps which can be taken against a defaulting State are of an "economic" character only, such as the withholding of economic privileges guaranteed under the treaty—the loss which is suffered by other States through the action of a defaulting State being of an economic character. It may be noted that these economic measures would hurt the United States less than any other country in the world.

Admittedly such powers are needed mainly for the backward countries; in the advanced nations the character of the administration and the force of public opinion will be sufficient guaranties. Discrimination, however, in the treaty between States in different stages of development would not be possible. Is it incompatible with the dignity of a great power voluntarily to place itself under the obligations which it asks the more backward powers to accept? The same remark applies to the obligation to submit the credentials of its representatives to the scrutiny of the conference. The representation of labor must be a genuine one if the conference is to be accepted by labor, and the risk that some countries would send delegates who do not represent labor has to be guarded against. A great power which is above the possibility of suspicion can accept it as a formality which all must go through.

It is suggested in the speech of the Senator from Wisconsin [Mr. LA FOLLETTE] that the effect of the scheme will be to reduce the conditions of the more progressive countries to the level of the more backward. This has not been the effect of international labor agreements in the past—the Berne conventions of 1906 have had the effect of bringing the more backward States up to a higher level. This will undoubtedly be the effect in the future. No State will be asked to lower its standards. Even if a convention is adopted on some subject, such, for example, as hours of labor, which does not come up to the standard of the United States, the United States, in accepting it, would still maintain its higher standard unimpaired.

I will read from the last paragraph of section 405 of the treaty with Germany, which reads as follows:

In no case shall any member be asked or required, as a result of the adoption of any recommendation or draft convention by the conference, to lessen the protection afforded by its existing legislation to the workers concerned.

The evident purpose is to bring the more backward States to a higher level.

Further, Mr. President, the United States and other progressive countries will be able to exert a beneficial influence in the international labor organization on the more backward States. The public discussion in an international forum of proposals for the improvement of labor conditions has a powerful influence on the backward States.

Mr. President, apprehensions appear to be entertained as to the effect on the labor situation here of the introduction of the ideas and aims of European labor through the medium of the international conference. Labor, however, is now organized on an international basis—American labor is taking a leading part in these international organizations—and whether the labor part of the treaty is accepted by the United States or not, foreign influence will not be excluded. Rather, if the labor provisions are rejected, the influence of extreme sections of foreign labor will be strengthened. The international labor organization provided by the treaty (1) gives labor a constitutional means of expressing its views and exercising its proper influence in the regulation of labor conditions; (2) it helps to remove the hindrance to progress which results from international competition; (3) it promotes continual progress in the improvement of labor conditions by the stimulus which the contact of different minds, all interested in the same problems, provides; (4) it pools the experience of all nations and makes that experience available for all.

Mr. President, I can see something hopeful in these international councils. They will bring together the brightest minds of the world to solve the social questions of mankind, for in Part XIII each country at meetings of the general conference will have four delegates—two representing the Government, one representing labor, and one representing the employers. As Carlyle has well said:

This that they call the organizing of labor is, if well understood, the problem of the whole future for all who in future pretend to govern men.

Mr. PITTMAN. Mr. President, I have not had an opportunity to study this section of the treaty to the extent that I would like to have done, but I have had occasion to listen to some of the addresses upon the subject. Most of these speeches were in opposition to the provision. The Senator from Nevada [Mr. HENDERSON] has most ably championed the cause of labor under the labor section of the treaty. I think the Senator from Nevada

has very clearly described the purpose and effect of this provision, and there is nothing that I can add to what he has said except to say that it seems that the opposition to this provision has the same foundation as the opposition to the treaty as a whole and to the league of nations—that is, it is founded in selfishness, in suspicion, and in fear. It is the fear of ultra conservatism; it is the fear of some of our citizens to attempt anything progressive lest there be danger in it.

Now, let me just suggest one other thing. The excuse for a high protective tariff in this country has always been the necessity of protecting the labor of this country against cheap labor in other countries, due to low wages and improper conditions of life. There is not any question at all but what there is no power in the world that can ever bring down the standard of labor in this country. Therefore the whole tendency and purpose of this provision must be to lift the standards in other countries. If the standards are lifted in other countries, then this country will be protected by that act, and artificial means of protection, such as the high protective tariff, will be entirely unnecessary.

Mr. KING. Mr. President, it will be conceded by all that there is a broad and ever-increasing field for legitimate and proper international activity. With the growth of civilization and the progress which the world has made, particularly during the past hundred years, the interdependence of nations is recognized and the necessity of a spirit of helpfulness and cooperation between peoples and nations is desired by conservatives as well as by the most chauvinistic. This view finds expression in the last address of President McKinley, delivered September 5, 1901, wherein he said:

God and man have linked the nations together. No nation can longer be indifferent of any other. And as we are brought more and more in touch with each other the less occasion is there for misunderstandings, and the stronger disposition, when we have differences, to adjust them in the court of arbitration, which is the noblest forum for the settlement of international disputes.

But the development of a spirit of amity and fellowship among the different nations and peoples of the earth does not call for the obliteration of State boundaries or the amalgamation of the races of the world. International peace and the establishment of justice and righteousness as the rule of conduct among nations will sooner be realized if there shall continue to exist free and independent Commonwealths inhabited by virile, progressive people.

A communism of States would be as deadly as a communism of peoples. Vigorous, puissant States are necessary to civilization and liberty and to a world-wide reign of law and order and justice. Individual development precedes mass development. It is the differentiations among individuals which means the progress of the State. Uniformity does not necessarily mean progress or advancement; it is variations, diversity, breaking with the past, and striking out into new and undeveloped fields that often prove the indicia of progress and advancement. Nature seizes the slightest change, if it marks growth, and by the application of the law of natural selection develops and improves until a better organism or higher species results. With modifications the law of evolution applies in the social and political organism. The promotion of genuine world peace will be accomplished by the maintenance of vigorous States which possess high ideals and national consciousness and have zest and joy in vigorous competition and generous rivalry with neighboring States. The spirit of altruism will be strengthened and the growth of a spirit of international good will and amity will be accelerated by the extension of freedom in local and domestic concerns; so world peace and justice find security only upon the broad shoulders of free and independent States. The practical conditions of life, the vast differences which race and religion and physical conditions develop, if not compel, have been ignored by preachers and dreamers who have contended for the obliteration of States and the coalescing of all peoples.

Both philosophy and the highest forms of religious expression recognize racial aspirations and the necessity of separate and independent governments. A recognition of racial differences, of habits and modes of thought resulting from physical and geographical conditions, is a part of the learning and philosophy of the age, and the highest development of peoples morally and politically will be realized by recognizing the ethnological and geographical conditions in the world. A nation has been described as an ethnographic unity within a geographic unity. When we think of the future of humanity we remember the stirring and eloquent words of Mazzini:

You are men before you are citizens or fathers. If you do not embrace the whole human family in your love, if you do not confess your faith in its unity—consequent on the unity of God—and in the brotherhood of the peoples who are appointed to reduce that unity to fact \* \* \* you disobey your law of life, or do not comprehend the religion which will bless the future.

But applauding their fine spirit we advance humanity's cause and hasten the realization of unity and world peace by devotion to country and by an observance of the moral precepts which make for justice and righteousness.

It is true that it has been the dream of prophets and poets that a millennial day would dawn and peace and righteousness cover the earth as the waters cover the mighty deep. Some teachers have believed that human governments were unimportant and that national consciousness was a reversion to older and undesirable types. Men everywhere are seeking the truth, the establishment of law and order and justice; a finer spirit of brotherhood is being developed, and the cause of civilization is advancing. But it is unwise to ignore the practical, the real, the concrete things the past has been compelled to encounter and which the present and the future must confront. We live in the midst of natural forces and are subject to world conditions and inexorable physical laws. All should sincerely seek the reign of justice and righteousness. The advent of that period when justice and peace shall prevail in the world will be accelerated through the perfection of individuals and nations. Our service to humanity will be all the greater by devotion to family and State and Nation. Though we recognize our obligations to the world, it is obvious that those obligations can best be discharged under the moral stimulus which will be generated through a scrupulous observance of the duties which we owe to ourselves and to this Republic.

In one of the last addresses made by President Roosevelt, on Lafayette Day, September 6, 1918, he stated:

Patriotism stands in national matters as love of family does in private life. Nationalism corresponds to the love a man bears for his wife and children. Internationalism corresponds to the feeling he has for his neighbors generally. The sound nationalist is the only type of really helpful internationalism, precisely as in private relations it is the man who is most devoted to his own wife and children who is apt in the long run to be the most satisfactory neighbor \* \* \*. To substitute internationalism for nationalism means to do away with patriotism and is as vicious and as profoundly demoralizing as to put promiscuous devotion to all other persons in the place of steadfast devotion to a man's own family. Either effort means the atrophy of robust morality. The men in this country who have stood the stanchest for the performance of international duty are the men who have most keenly felt nationalism and Americanism in their blood, in their veins.

No one contends that individuals or States are absolutely independent. The truth of the statement made by that trenchant writer, C. Delisle Burns, is recognized by all who are conversant with historical development or social evolution. He states:

Present facts, then, demand the recognition of continuous and normal interdependence of States. The nature of the State is to be understood at least in part from its relations with other States, and all philosophies which even imply that the State is isolated are out of date. Indeed one may say that the modern State must be understood by this external reference.

The theory of absolute isolation, or complete and absolute and unrestricted sovereignty, leads to international anarchy. Such a view is an anachronism. It was expounded by Bernhardt and applied by the Kaiser and the military camarilla by which he was surrounded. The great tides of art and literature, the mighty streams carrying religion and science and philosophy, fructify arid wastes and produce a civilization, in part at least, common to all who come within their influence; and the mighty developments of science, as well as the softening influences of religion, have bound all peoples with chains of steel and linked nations together. International organizations and conferences and congresses likewise are powerful instrumentalities in securing cooperative efforts between nations and in promoting fraternity between diverse races and peoples. In the year 1913 more than 130 international congresses met for the discussion of questions of importance to the world. No one insists that a State in its international relations may be absolutely and arbitrarily independent. Indeed, in some internal affairs its sovereignty is necessarily limited in consequence of its relations with other powers. Even the strongest nationalists of this day would not approve of the statement of Canning if applied generally to the relations among nations when he said:

Things are getting back to a wholesome state again. Every nation for itself and God for us all. \* \* \* The time for Arcopagus and the like of that is gone by.

He was protesting, of course, against the Holy Alliance and the sinister designs which it had of crushing out the spirit of democracy which was animating the hearts of the world, and of suppressing the revolutionary movement in Spain and forcing the Spanish-American colonies back under Spain's autocratic dominion.

Progress follows individualism, and a certain degree of particularistic evolution, as is expounded by Spencer, results from differentiation. Progress is marked by growth from homogeneity to heterogeneity, and this finds exemplification in the life of States as well as in the biological field.



Locky attributes progress to the process of differentiation which results from the spread of education and to the expanding interest of individuals in the multitudinous affairs of human life.

It has been alleged that the nationalism of Luther broke the power of an oppressive medievalism which sought to impose an international organization upon the world.

The great poet Dante contended for a universal—or perhaps it would be more accurately expressed a unified—government, if not for the world at least for Europe, and sought the peace of the world through the intervention of such a government. But the Renaissance was a protest against an oppressive internationalism and a political and spiritual overlordship which ruled with benumbing force the peoples of Europe.

Mr. Rose, in his work entitled "Nationality in Modern History," states that Dante's *De Monarchia* "rests upon a fundamental conception that the world, being a thought of God, is designed for unity, the attainment of which is the chief end of man."

Though Grotius insisted that "all mankind, or at least the great part of it, constitutes a society of peoples for which the rule of a general law is indispensable," and insisted that "the law of nature, according to the theory of the ancient Roman jurists, should obtain among peoples," he nevertheless recognized the necessity of independent nations whose people possessed a strong national spirit and a fine and noble patriotism. While he laid the foundations of international law deep and broad and sought to terminate the international anarchy prevailing in the world, he regarded the development of the State as indispensable to progress and liberty.

Of course, the medieval concept, as Gierke so clearly develops, rested upon the Christianity of the Middle Ages, wherein it was set forth that mankind is a single and universal community owned and governed by God himself. "Mankind is one mystical body; it is one single and internally connected people or 'folk.' It is an all-embracing corporation—universitas—which constitutes that universal realm, spiritually and temporally, which may be called the universal church, or, with equal propriety, the commonwealth of the human race—*respublica generis humanis*. Therefore that it may attain its one purpose, it needs one law and one government."

The rise of Protestantism more or less fractured the crystallized views then prevailing in Europe, and certainly destroyed the idea entertained by some of a great international state superimposing its will upon people racially and ethnologically different and with no traditions or immediate interests held in common, to effect union and promote solidarity of action. Perhaps the reaction against the medieval thought developed too strongly the nationalistic spirit, and yet it must be said that with the growth of nationalism and the development of race consciousness the cause of civilization received a new impetus. There developed the political view expressed by Blackstone, of the sovereign state, and he defined sovereignty "as the supreme, irresistible, absolute, uncontrollable authority." His imperishable writings became the inspiration, in part, at least, of those who founded this Nation.

The dawn of freedom for the individual is the beginning of civilization. The State finds its prototype in the individual. A free, independent individual, within a proper sphere of activity, is essential to national as well as international progress. There must be fields for individual activity within which no other power may intrude. Notwithstanding the dependence of the individual upon others, there must be a domain free from control or intervention. This alone will permit his highest development and equip him for those interrelated and intersocial responsibilities resultant from the multiform conditions of our social organism. So it is with the State, though the oceans are narrow and nations and peoples, by the achievements of science, are brought into apposition, and notwithstanding the increasing interdependence of nations, there must ever be a domain which alone may be occupied by the State and within the sacred precincts of which other States or people must not enter. As the individual must possess his own soul and spirit and will and purpose, and as he holds within his hands his own destiny, so also does the State possess a spirit and a soul and a destiny. Its spirit may not be defiled by other States; its soul must be free to will and to execute; otherwise death and disintegration are inevitable. In our eagerness to consort with other nations and to aid in bearing the international burdens of the world, we must be careful not to destroy the national spirit or to jeopardize the national life.

Mr. President, thoughtful men and women since the dawn of civilization have earnestly sought the adoption of some plan that would prevent, if possible, the horrors of war and establish the basis of an enduring peace. At the close of sanguinary conflicts

this desire has strongly manifested itself, and serious efforts have frequently been made to bring about some international organization or some concert between nations and peoples which would make the recurrence of wars impossible; but notwithstanding the progress of civilization and the development of altruism and the enlightening spirit of Christianity all efforts have been in vain. The frightfulness of the great conflict through which the world has just passed powerfully impressed all classes in every land with the importance of devising some scheme which would be acceptable to the world and remove so far as possible the possibility of another devastating and destructive war.

President Wilson while the war was in progress challenged attention to the necessity of a concert of the democratic nations of the world and to the formation of a league of civilized nations and the establishment of a partnership among the free peoples of the world for the purpose of preventing war and maintaining the peace of the world. His views were enthusiastically received, not only among the democratic and Christian nations but in almost every part of the world. People believed the time had come for the establishment of a genuine league of nations, that such a union could be effectuated, and that in its operations the national, sovereign powers of the members of the league would not be infringed, and the domestic and internal policies would not in any manner be affected.

When the first draft of the covenant of the league of nations was submitted to the world it met with a most cordial reception. It is true it aroused criticism—some friendly and constructive, some violent and unreasoning. An instrument involving such tremendous issues of necessity aroused discussion and provoked criticism. It would have revealed a mental torpor and stupidity incompatible with a virile and progressive people if its proclamation had evinced complacent acquiescence in its provisions or at most an idle curiosity as to its terms. Numerous suggestions were made looking to correcting some obvious defects or changing some structural features.

The finished draft as it came from the peace conference showed improvement and indicated that the representatives at the peace conference had attempted to meet the constructive criticism offered by genuine friends of world peace. But with the changes made the covenant of the league still contained imperfections which, in the opinion of many, seriously marred its splendid proportions. Of course, it is beyond the finite mind to devise a form of government for individual nations or a plan for international cooperation that will be free from defects, and which in its operations will result in equal and exact justice and bring freedom and happiness to mankind. There is so much of genuine merit in the covenant of the league that, notwithstanding its defects, I believe it should be approved by the people of the United States, and that the pending treaty should be ratified by the Senate. A number of reservations have been suggested and have been approved by a majority of the Senate. Some of these reservations I regard as unnecessary because they merely emphasize what otherwise is expressed. Still other reservations, in my opinion, improve the treaty under consideration and will remove the objections of many patriotic Americans who desire to see the treaty ratified, but who entertain serious misgivings as to the future of this Republic under the league unless certain reservations become effective.

The covenant of the league, as I have stated, possesses most excellent features. It has been the policy of this Republic for more than a hundred years to settle by arbitration, so far as possible, controversies which might lead to war. Treaties in later years have been entered into between the United States and many nations which bound the signatories to arbitrate justiciable questions; indeed the policy of our Government has been to settle all international controversies without resort to war.

The covenant of the league provides machinery for arbitration and for the settlement of disputes arising between nations. The league conceives the plan of preserving peace by an international concert, and by such action as may be exercised by an alliance or league of nations, including the great powers and free States, which are willing to subscribe to the principles of peace and international righteousness.

The Senator from Pennsylvania [Mr. Knox], in an address delivered before the Pennsylvania Society of New York in December, 1909, discussed the question of international unity, or rather questions of international import, and as to which nations may unite to effectuate their settlement. He reviewed various conferences, international in character, which had been held, and then stated:

That the termination of war by the conclusion of peace, the regulation of eventual war, and the settlement of difficulties without a resort to war are matters of international concern. However important the acts of these conferences, the fact of their meeting was even more important, for it is evident that the common interest of nations is being

recognized as superior to their special interests, and that unity of action in international matters may yet control the unrestrained, unregulated, or isolated action of independent States. . . . Just as individuals and separate nations advance in the fruits of civilization and display in their conduct higher regard for honesty and justice and peace and less tolerance for wrong and oppression and cruelty, so these ideas of private national conduct are manifestly inspiring all nations in their relations with each other. As nations understand each other better and the world draws closer together in the recognition of a common humanity and conscience of common needs and purposes there is carried into the international field the insistent demand for greater unity in enforcing everywhere the principles of a high morality and, by restraints mutually implied and observed, all the human ameliorations, without which both national and international life would soon fall into anarchy and decadence.

As stated, the covenant submitted seeks to bring about a spirit of unity among the nations for the establishment of world peace. As I have indicated, it is not free from objections, and no doubt its operation will show the wisdom of making some changes. Reference has frequently been made to the condition in which the Colonies of America found themselves at the conclusion of the War of Independence. There is an analogy, but not a parallel, between those separate States and the Union which they formed, and the nations which participated in the recent conflict and the league of nations which they are seeking to form for the better security of the territorial integrity and independence of all nations and the perpetuation of peace in the world. This much may be said, however, that amendments were submitted to the Federal Constitution and adopted; and unquestionably when the league of nations actively functions there will be disclosed weaknesses and defects which will perhaps call for radical and possibly vital changes in its structure. But, as I have stated, serious as some of the defects may be, the virtues of the treaty are such as to not only justify the United States becoming a member of the league but such as to require prompt action.

The following provisions of the covenant are so important and will prove so advantageous to the world that they warrant the approval of the covenant, notwithstanding the defects found therein:

Those relating to the disarmament of nations except for the purposes of defense.

Those restricting the manufacture of munitions and implements of war.

Those relating to the settlement of international disputes by arbitration or by conference, and the obligation of the members of the league to refrain from war, and to submit for determination their disputes to arbitration or to the consideration of the organizations and tribunals prescribed in the covenant of the league.

Provision is also made for a court of international justice which shall have power to decide upon international controversies submitted to it.

Without attempting an analysis of article 10, and not desiring to interpret or construe its controversial features, the provision therein which imposes an obligation upon the members of the league to respect the territorial integrity and political independence of all other members of the league is of the highest importance and is a long step in the direction of world peace. If each nation is under solemn obligation to respect the territorial limits and the political independence of all other members of the league, the cause of world peace has been greatly advanced. If the league contained only those provisions which deal with justiciable or arbitral controversies, as well as those referred to in article 15 of the covenant, which are likely to lead to a rupture, it should commend itself to the civilized peoples of the world.

Ex-Senator Root, as I recall, declared that the arrangements for the settlement of nonjusticiable controversies were satisfactory and indeed admirable.

As I have indicated, it is believed by many that the pending treaty could be improved and the interests of the United States more effectually guarded if reservations dealing with a limited number of matters were made a part of the resolution of ratification.

It is not my purpose to discuss the reservations submitted other than the two principal ones dealing with Part XIII of the treaty. I regret that the representatives of the peace conference felt it necessary to deal with a question that is essentially national and domestic in character and has no proper place in the treaty drafted by them. Notwithstanding my sincere desire to see the treaty ratified, and notwithstanding the earnest support which I have given to the efforts made to secure its ratification, I have been unable to approve the provisions of Part XIII. They are wholly extraneous to the subject with which the representatives of the various nations were dealing. At the close of a world war they were negotiating a peace treaty, not an agreement for the control of the domestic affairs of nations.

Part XIII is incongruous and wholly irrelevant to the questions which brought the representatives of the warring nations to the peace conference. It does not strengthen the treaty, but weakens it. Moreover, it is at variance with the letter and the spirit of the treaty, and if enforced by the organization which it creates increasing irritation will be developed and serious controversies will arise which eventually may culminate in conflicts; if not between States, then between such organization and one or more States. The defeat of the Central Powers compelled the negotiation of a treaty, and the primary questions at the peace conference related to the terms to be imposed upon the defeated nations. However, both the victors and the vanquished understood that a sincere effort would be made by the peace delegates to devise some form of international organization which would permit the cooperation of nations to secure the peace of the world. The peace negotiations also demonstrated that some organization was necessary to carry out the terms of the peace treaty. Properly and logically a plan for a league of nations came into existence. In acting as an agency to enforce certain terms of the treaty the organization known as the league of nations was performing international functions, and confessedly its operations were international in character and were to be limited to efforts to preserve peace between the members of the league. It was obvious that whatever organization or instrumentality was provided through which the nations were to speak, or which was to constitute their agent for their mutual advantage, it must and should be limited in its functions and authority to international questions and concerns. The American people are not willing to erect a supranational or construct an international authority which may impinge upon national sovereignty or interfere with their domestic and internal affairs.

As I have indicated, the league of nations is to be organized for the purpose of maintaining the peace of the world, or, to speak more accurately, peace between the nations of the world. While the league has been called an international organization it is regarded by many as in reality an alliance of equal and separate national States or Governments for the purpose of the mutual protection of the territorial integrity and political independence of the members for the preservation of peace between the members of the league. The league, therefore, is a very different organization and has very different objects and principles from those which may be brought within the denomination of internationalism, which is a conscious endeavor not to protect and defend the separate nationalities within the league but to destroy and submerge the national and patriotic consciousness of the separate peoples into a common internationalism, or, more accurately, a common consciousness of world "citizenship," which shall ignore and obliterate national distinctions as well as the distinctions of language, civilization, and culture, which have characterized the national life of the great countries of the world.

The propaganda of socialism, founded upon the impossible projections of Karl Marx, has for its principal slogan, "Workers of the world, unite." This appeal is directed to all men of all countries, and is dependent directly upon the so-called extension of the working-class consciousness to the so-called workers of all countries. The theory of this propaganda is that the Governments of all civilized States are capitalistic governments and therefore opposed to the interests of the working class, and that the working class of all countries have common interests as distinct from and indeed antagonistic to the interests of the several States wherein they reside and the interests of their fellow citizens in other walks of life. The ultimate aim of the socialistic propaganda is to form working-class governments and, indeed, to amalgamate all the countries of the world into a so-called working-class government. This professed internationalism is one of the main principles of socialistic propaganda. The conferences of the European socialists, held at stated periods in different continental cities, are termed internationales.

Part XIII of the treaty of peace is an attempt to attach these internationales to the league of nations and to give the so-called socialistic working-class propaganda an international sanction and status subsidized by the league of nations and to make this internationale, otherwise international labor office, an independent agency for the procurement and enforcement of so-called labor legislation in the several countries of the world, and, furthermore, to constitute the international labor office an independent agency for the arrangement of international conventions and treaties respecting labor, and, substantially, all domestic affairs of the States, which shall give the projects of the international working-class movement the status and force of international law.

The plan is to effectually divide society and to treat the workmen of the members of the league as a separate part or class and accentuate such division by compelling States to recognize



the same and to commit to an international authority the power to legislate and act for such class, utilizing the league of nations, the primary purpose of which is the preservation of the peace between nations of the world by dealing with international concerns as well as the members of the league as subordinate agencies to execute its purposes.

This whole propaganda is based upon the fallacy that the interests of so-called labor in any country are different from the general interests and economy of such country as has heretofore been comprehended within the phrase "the public welfare," or the welfare of the people, which is the main political object of the so-called capitalistic governments.

The wealth of nations and the prosperity and progress of men in the modern state of civilization depends upon the utmost liberty of production and exchange. The division of labor, upon which the modern social and economic society is based, can only accommodate the needs and requirements of the life of men by the freest exchange of labor and the products of labor between the members of the commonwealth. The only way labor may pass into commerce is by the process of natural persons advancing their services to or working for others, or bestowing their labor on such goods or materials as are advanced to others and thus pass into commerce. If labor is not thus used or employed, labor itself has no real existence, and in the place thereof we have merely idleness and inutility of men. It has been said that there is no excellence without labor. This does not mean potential but actual labor.

Production is impossible without capital. It is capital which makes labor valuable, and this capital is not a static thing in the world. Like labor itself, it is being constantly consumed in the processes of production and must be constantly replenished in order to sustain the processes of production. Labor has indeed a most intimate connection with all the enterprises of production and exchange, and labor comprehends not only common manual labor and rough physical work, but all those services of a personal nature which pass into commerce and for which men pay or exchange a value fixed by mutual contract. The whole fabric of commerce and finance is made up of a mass of contracts which touch every active man in the world and which are being constantly settled, executed, and renewed to carry on the processes of production and exchange, upon which the life, convenience, and comfort of men directly depend. As production can not proceed without capital or rather stock, which is progressively consumed in industry, but must be progressively renewed out of new stock saved from consumption, it follows that this new stock must be obtained from those who have saved, or, rather, have saved the money which may go into the market and demand it.

Profits are the increase of production over expenditure in the processes of production and are measured in money, which is the balance of the aggregate transactions involving both profit and loss in the conduct of business.

The controversy over profits thus involved is the whole question of capital and labor. In the present practice the enterpriser pays the hire of labor and the hire of capital as wages and interest, respectively, in a certain amount ascertained and secured by a contractual obligation which must be discharged whether the business makes profits or losses. After paying the debts both of capital and labor, the enterpriser takes the residue of returns for himself. If laborers desire to unite in an enterprise and pay the hire of capital, which does not fluctuate, but is standardized around 6 per cent per annum, they may divide profits among themselves, and thus do away with the so-called wage system. There is nothing in our so-called capitalistic laws which lays any legal impediment to an arrangement of this kind.

The class consciousness of laborers as a class, apart from their fellow citizens in the body politic when they are in fact an inextricable part of the body politic, is the fallacy which lies at the base of the so-called class struggle. This is a wholly artificial conception and has only made notable headway among the most unskilled and untrained men in the ranks of labor. Men have thus been caused to think that they are fighting capital, as they call it, when they are in fact fighting their own fellow citizens and neighbors in society. It is the fallacy of the static condition of capital as a thing which is constantly holding them in subjection instead of the thing which is being constantly renewed in the processes and for the processes of business which has given this word an odious meaning to men of little understanding, whereas, when properly understood, capital and the production of capital is the most beneficent factor in the economic life of the commonwealth. The more capital there is in a country the richer is that country and all of its inhabitants.

The poor man who lives in a wealthy country is infinitely better off than the poor man who lives in a poor country, and any means for the wider distribution of capital must be found not in disturbing the capitalistic system of production but by

increasing both the facilities of production and the facilities for the more equal distribution of the products of industry in the incomes of those who contribute to the same.

The energy of men, their desire for progress, and their pride in accomplishment call them to venture their capital or stock in new enterprises. If it were not for the accumulations of the rich as well as the savings of the frugal and middle classes, as they are called, the country would lack the means of constant replenishment and expansion of capital required for the operation of business and the accommodation of the needs, wants, comforts, and progress of men. The only use which can be made and is made of the accumulations of the rich is the investment of the same in new enterprises and in replenishment of the capital of old enterprises to meet the needs, tastes, pleasures, and desires of men in the modern world.

The accumulation of wealth is not against the interests of any class of the people. Wealth itself, if not used and employed and reproduced in the processes of production, is wasted and consumed in the decays, disintegrations, and depreciations which are inevitable in the natural world. The wealth and progress of any nation depend upon the constancy and expansion of the process of production. Indeed, wealth itself is not anything but a process. It is a condition of national expansion and growth, the products of which are the stock of goods and commodities to sustain the life and support the progress and improvement of the country.

There is therefore no possibility of separating the welfare of the working class from the general welfare of the community. The promotion of class consciousness and international solidarity among the workers is directly contrary to the interests of the commonwealth and of nations both in their domestic and international relations. Strange names and doctrines from overseas will not make business grow in any country. The wealth and progress of the country is the primary object of political economy and endeavor. The solidarity of the nation itself is the proper aim of the State. The welfare of the people, the protection of the health and strength of those who labor, is a proper object of domestic policy in every nation, and the citizens of every country should look to their own government for protection of this character. The competition among nations themselves in the field of commerce is of itself a potent and constantly operating inducement for each government to husband well the strength and health of the people employed in its industrial pursuits. The Congress of the United States, under the power delegated to it by the Constitution, and the legislatures of the several States of the Union, by virtue of their inherent legislative powers, are entirely competent to take effective measures for the protection of the health and happiness of the people. Suggestions from extraneous sources are neither necessary nor permissible. Such suggestions themselves are an infraction of the dignity and sovereignty of the State. The State itself, moreover, has no proper control of the wages or prices, as these are properly and legally fixed by the stipulations of private contract. The interference with such questions by foreign emissaries would be utterly intolerable. There is no field within which the general conference or the governing body of the international labor office set up by Part XIII of the treaty of peace with Germany can operate in the United States. We do not need any enlightenment from the vagaries of European economic speculation from which we have formerly been free. We have already had too much infusion of exotic isms into the political thought of our people.

Article 19 of the league of nations provides that—

The assembly may from time to time advise the consideration by members of the league . . . of international conditions whose continuance might endanger the peace of the world.

Part XIII of the treaty setting up the international labor office seems to be founded upon the conception that there are "conditions of labor which produce unrest so great that the peace and harmony of the world are imperiled." The assembly of the league of nations is entirely competent to deal with such conditions of labor as may affect the peace of the nations. The assembly of the league of nations is a forum into which should be brought all questions affecting international peace, including those having to do with labor. The assembly should recommend legislation by the States of the league deemed to be necessary, if any extraneous organization should be permitted that privilege. There is no proper place for the international labor office in this scheme of the league of nations. Part XIII should therefore be eliminated from the treaty. It is intolerable to think of nongovernment delegates in an international conference having to do with international affairs and politics. Such an arrangement is a clear case of imperium in imperio.

The observations just submitted may be deemed irrelevant to the subject now before us, but I have not so regarded them. They were offered for the purpose of showing that labor is



not a thing apart and can not be dealt with independently of capital. The welfare of society, capital, labor, production, wealth, property, contracts—these are all involved in the internal policy of the State. They are not subjects to be committed to international organizations or agencies.

When the first draft of the covenant of the league was submitted sincere friends of a league of nations to prevent future wars insisted that the final draft should specifically reserve the domestic affairs of the members of the league from its jurisdiction or control in any manner. To meet the suggestion it was provided in article 15 of the covenant that if disputes arise between members of the league growing out of matters which they or either of them claim, under international law, are solely within the domestic jurisdiction of the States, the council shall so report, and shall make no recommendation as to its settlement. Unquestionably this provision was intended to preclude the league or any of its organizations or agencies from interfering with any domestic question. Notwithstanding this provision, there are sincere supporters of the league who feel that a reservation is required broader in its language for the protection of the members of the league against any intrusion by the league or its organizations into the internal or domestic affairs of the States. Such a reservation has already been adopted by the Senate. It reads as follows:

4. The United States reserves to itself exclusively the right to decide what questions are within its domestic jurisdiction and declares that all domestic and political questions relating wholly or in part to its internal affairs, including immigration, labor, coastwise traffic, the tariff, commerce, the suppression of traffic in women and children, and in opium and other dangerous drugs, and all other domestic questions, are solely within the jurisdiction of the United States and are not under this treaty to be submitted in any way either to arbitration or to the consideration of the council or of the assembly of the league of nations, or any agency thereof, or to the decision or recommendation of any other power.

No one questions but what labor and all cognate questions come within the domestic jurisdiction and police of the State. It is essentially a question domestic and internal in its nature. No State could commit the determination of its internal affairs to foreign powers or to a league of nations and long maintain its independence. There are some matters so vital, so interwoven with the very life of a State, that to relinquish control of the same to any other power would result in the destruction of the former. A nation or State would cease to exist if its internal and domestic problems were subject to the control of even a friendly power. The peace of the world, in my opinion, would not be subserved by the members of the league surrendering control of their domestic questions and internal affairs to the council of the league or to any other international organization.

The Senator from Wisconsin [Mr. LA FOLLETTE] submitted an amendment to the pending treaty which called for the elimination of Part XIII. I believe that a majority of the Members of the Senate were in favor of the amendment, but it was defeated because Senators felt that, if adopted, a textual change in the treaty would thus result, which would call for a resubmission of the treaty to Germany. From statements made by Senators I am convinced that a majority of the Members of this body profoundly regret that the provisions of Part XIII were embodied in the treaty.

The view is entertained by many that such provisions constitute a menace to members of the league and an extraneous force which will persistently be exercised against protective national barriers and the internal policies and administration of the States of the league.

The record of the Senator from Wisconsin with respect to organized labor and questions affecting labor is well known to the Senate and to the country. He is everywhere recognized as the friend of organized labor. His opposition to Part XIII of the treaty is therefore not the result of any hostility to the cause of labor. In the able speech delivered by him he pointed out in a clear and convincing way the dangers to American labor that would result if this Nation should be subject to the provisions of Part XIII.

Like many of my countrymen who examined the treaty, I was eager to discover its merits and virtues. Every predilection was in favor of a league of nations or some international organization which would, if possible, reduce or prevent the causes of war. It was therefore with keen regret that I discovered within the treaty provisions which may seriously affect our country and which are wholly irrelevant and foreign to the subject with which the treaty should deal.

My opposition to these provisions results in part from the conviction which I have that if the United States is bound by them the interest of labor and of this Republic will be profoundly affected, and to their disadvantage, and for the further reason that Part XIII creates a powerful extranational organization which in time will impair the sovereignty of the States constituting the league and wrest from them the control of undoubted domestic and internal questions.

It is quite likely, Mr. President, that many will take issue with this statement and regard my apprehensions as the result of an unfounded fear. I confess that the activities of international socialists, the battle cries of the Bolshevik emissaries in our midst and in all parts of the world, and the indubitable evidence of their world-wide plan to destroy nations and establish international communism may have unduly influenced my mind and unnecessarily aroused my fears as to the evil consequences which will result from the establishment of the organizations provided for in Part XIII and intrusting to them the powers conferred by its provisions. But it is impossible to construe the provisions of the treaty which I am now discussing apart from the propaganda which preceded the drafting of Part XIII and the forces and influences back of the movement culminating in its adoption by the Paris conference. Even the Senator from North Dakota [Mr. McCUMBER], who is one of the ablest champions of the league and the treaty, has just stated that Part XIII is not only "obnoxious" but "abhorrent" to him. He sees its dangers and is unwilling that the Republic shall pass under the yoke of international organizations which may attack our domestic system and menace our peace and prosperity.

I did not support the amendment offered by the Senator from Wisconsin, notwithstanding my serious objections to Part XIII, because I wanted, if possible, to prevent further treaty negotiations with Germany, and also because I felt that if the other signatories to the treaty desired to submit to the provisions of Part XIII, the United States could not properly interpose to prevent such action. However, I offered a reservation to be incorporated in the resolution of ratification. It reads as follows:

#### Resolution.

*Resolved (two-thirds of the Senators present concurring therein).* That the Senate advise and consent to the ratification of the treaty of peace signed at Versailles on the 28th day of June, 1919, by the plenipotentiaries of the United States and the other belligerent powers, with this reservation: That

Whereas the Government of the United States takes the view that it is entirely competent through the legislative powers delegated to Congress by the Constitution, and the inherent legislative powers of the several States of the Union, to deal with all questions of domestic policy and especially with all questions concerning the status and relations of labor; and

Whereas article 19 of the convention of the league of nations, which is a part of said treaty, provides that the assembly of the league of nations may from time to time advise the consideration by members of the league of international conditions whose continuance might endanger the peace of the world, under which power the assembly of the league of nations is entirely competent to deal with such conditions of labor as may produce unrest so great as that the peace and harmony of the world are imperiled; but notwithstanding said provision said treaty of peace further provides a special international organization of labor which is extraneous to the league of nations, the powers of which are defined in Part XIII of the treaty, comprising articles 387 to 427, inclusive; and

Whereas the Government of the United States does not recognize that the intervention of such said international labor office is at all necessary for the adoption of humane conditions of labor or would promote the cause of labor within the United States, or that such intervention would in any wise be proper or permissible:

Therefore the United States of America withholds its assent to Part XIII, comprising articles 387 to 427, inclusive, of the said treaty of peace, and excepts and reserves the same from the act of ratification, and the United States of America declines to participate in any way in the said general conference, or to participate in the election of the governing body of the international labor office constituted by said articles, and declines in any way to contribute or be bound to contribute to the expenditures of said general conference or international labor office.

I did not expect that the preamble would constitute a part of the resolution if adopted, but made it a part of the reservation for the purpose of directing particular attention to the nature of the subject involved in Part XIII. Senators will perceive that the resolution challenges attention to the implications of Part XIII. The preamble declares what all patriotic Americans believe, namely, that this Government is entirely competent to deal with all questions of domestic policy including those concerning the status and relations of labor and the welfare of the people of the United States. The preamble further states that Part XIII provides a special international organization of labor which is extraneous to the league of nations, and that this Nation does not recognize the intervention of such organization for the promotion of the cause of labor, or that the intervention of such an organization would be "wise, proper, or permissible." The resolution proper, which I desire to constitute a reservation to the treaty, declares that this Republic withholds its assent to Part XIII and declines to participate in the international organizations to be created by the provisions of the treaty in question. The construction given to the cloture rule prevents amendments being offered to tendered reservations; therefore I reframed the resolution, omitting the preamble. In this form I have offered it as a substitute for the reservation submitted by the distinguished Senator from North Dakota [Mr. McCUMBER]. His reservation reads as follows:

14. The United States withholds its assent to Part XIII (articles 387 to 427, inclusive) of said treaty unless Congress, by act or joint resolution, shall hereafter make provision for representation in the organiza-



tion established by said Part XIII, and in such event the participation of the United States will be governed and conditioned by the provisions of such act or joint resolution.

The Senator from North Dakota has just stated that "the real difference" between his resolution and the substitute which I offered—

is the difference between the use of an ax and an anesthetic in performing a surgical operation. Both have exactly the same effect in reducing the patient to a state of insensibility. The difference between the two, however, is that one kills, but the other leaves open the door of hope.

Senators will observe that the reservation of the Senator from North Dakota merely withholds assent from Part XIII until Congress shall make provision for representation in the organization provided for by said Part XIII. This reservation extends a luring chain which will be tantamount to an invitation for the internationalists throughout the world to drag the United States into the superstructure provided by Part XIII. It is an invitation, indeed an encouragement, to all who seek to extend the powers and jurisdiction of the labor organizations to be created by the terms of the treaty to bring to bear upon the United States every influence and all the pressure possible to secure its adherence to Part XIII. The internationalists who seek the domination of the world will make an issue in congressional and senatorial elections in this country, and political parties will be called upon to declare in their platforms whether they will or will not by congressional legislation force upon the unwilling hands of this Nation the international labor chains which will be forged by the machinery provided by Part XIII.

The Senator from North Dakota declares that his reservation is an anesthetic. Evidently he believes that the patient, which is his reservation, does not suffer death, but will remain anesthetized until the influences to which I have referred produce an awakening. The trenchant expression of the Senator that the reservation which I have submitted has the effect of an ax seems to indicate that he regards the adoption of the latter resolution as effectually dealing with the subject and as administering a coup de grace to the plan to place this Republic under the international organizations to be created by Part XIII. I could only wish that my resolution would be effective and end all efforts to subject the internal affairs of this Republic to the all-powerful organization which the international socialists throughout the world believe will be created when the provisions of Part XIII are effectually administered.

Part XIII deals exclusively with domestic and internal concerns. It is comprehensive and will be construed to embrace substantially all matters and questions connected with the life of the people. The organizations created by Part XIII are to deal with the following questions:

All conditions of labor involving injustice, hardship, and privation, or which produce unrest. The regulation of the hours of work, including the establishment of a maximum working day and week; the regulation of the labor supply and prevention of unemployment; the provision of an adequate living wage; the protection of the worker against sickness, disease, or injury arising out of his employment, and protection of children, young persons, and women; provisions for old age and injury; protection for the interests of workers when employed in countries other than their own; recognition of the principle of freedom of association; the organization of vocational and technical education; and other measures.

If all these subjects are dealt with by this organization there will be but a very narrow field left for the exercise of national functions and authority by the member States of the league. Under the power to regulate the labor supply, this international organization could claim jurisdiction over immigration, particularly the immigration of workers. It might determine that Japan's labor supply was too great and that of the United States inadequate, and therefore there should be a migration of Japanese laborers to the United States. Porto Rico or the Philippine Islands might be regarded as too densely populated for the welfare of the laborers residing in those islands, and efforts might then be made to convey thousands of the inhabitants of those islands to the United States to work in the fields, upon the farms, or in other industrial pursuits. This international organization which would be controlled by countries other than the United States might determine that labor was receiving too great a reward in the United States, and that in order to equalize the wages of other countries, where wages are low and the wage earners are numerous, an enormous influx of labor into the United States was necessary. In order to prevent unemployment, the international organization might follow the Bolsheviks, and require the United States and other nations to nationalize mines and factories and railroads and to engage in all forms of paternalistic enterprises which would be destructive of the

economic and political systems obtaining in various countries of the world. How would this organization prevent unemployment in India and China and in other nations of the world where the laboring man is paid but a few cents per day, and where it is difficult to obtain employment of any character? Will it assume, in order to furnish employment, the control of the industrial life of the States within the league? Will it lay its heavy hand upon the members of the league and require them, under the threat of economic boycott or isolation from other nations, to furnish employment to their respective nationals? Or will it order all national lines to be obliterated, so that labor, like a great human tide, may sweep over continents and islands without impediment or obstacle until it circles the earth?

This organization is to deal with the subject of an "adequate living wage," and the protection of the worker against sickness, disease, and so forth, and the protection of children, young persons, and women. This will involve the question of production, the relation of capital and labor, the processes of production; and the determination of these matters will involve the question of housing and sanitation, and all matters and influences that enter into the lives of the people. The protection of children and young persons, of necessity, will involve the question of education, and that is directly related to the question of taxation. Provisions for old age and injury will involve the question of insurance and pensions. The determination of this matter will call for plans for private insurance or for governmental insurance. This international organization may conclude that it is the function of the States to provide insurance and old-age pensions and indemnity for injuries sustained in occupational pursuits. Its requirements may call for the destruction of the insurance systems found in most civilized countries of the world.

I have not time to point out to what extent the activities of this organization would cover the field of domestic control of the nations who may become members of the league. But it is apparent that the assertion of the power sought to be conferred upon the international labor organizations would divest States of the control of their most important affairs and leave them stripped and naked. Time will not permit a detailed analysis of the 40 articles found in Part XIII, which are devoted to the organization, or instrumentality, or superpower, or supernational—whatever it may be called—which is created to control to a greater or less degree the internal affairs of the members of the league.

A recent article written by Mr. Edward N. Dingley appears in the November number of the Protectionist which deals with this part of the treaty and analyzes some of its provisions. Without reading, I shall insert a portion of the article in connection with my remarks:

In the discussion of the terms of the treaty of peace between the United States and the allied nations on the one hand and Germany on the other, comparatively little notice has been taken of what is designated as Part XIII, under the title of "Labor." Yet this portion of the treaty, occupying about 10 pages of the entire 213 comprising the voluminous document, contains provisions of vital and far-reaching importance, especially to the United States. \* \* \*

The underlying principle of the "labor" provisions, as of the "covenant," is internationalism. Its objects are set forth in the preamble:

The proposed "organization of labor" is planned to be an adjunct of the league of nations—a wheel within a wheel. Ratification of the treaty of peace by the United States will automatically make the United States a member of the International Labor Conference. The original members of the league of nations "shall be the members of the labor organization." Since there are to be 32 original members of the league of nations, there will be the same number of members of the international labor organization. The permanent organization "shall be (1) a general conference of representatives and (2) an international labor office controlled by a governing body." The general conference shall meet at least once a year and "shall be composed of four representatives of each of the members"; two shall be Government delegates and one shall be an employers' delegate and one an employees' delegate. Each delegate may be accompanied by not more than two advisers without votes.

Under this plan the general conference of representatives of the members will consist of 128 delegates, 64 representing the several Governments, 32 representing the employers, and 32 representing the work people. The 64 "non-Government delegates," as they are called, are to be chosen "in agreement with the industrial organizations which are most representative of employers or work people." There is no specific provision for the selection of the 64 Government delegates. Presumably they will be named by the heads of the respective Governments or by the persons representing the respective nations in the league of nations. The 64 "non-Government" delegates, if "chosen in agreement," must be agreeable to both employers and employees. No procedure is provided in case of a disagreement.

The following countries, self-governing colonies or dependencies, each will have four delegates in the general conference of representatives: United States; Belgium; Brazil; British Empire; Canada; Australia; New Zealand; South Africa; India; China; Cuba; Ecuador; France; Serb-Croat-Slovene State; Siam; Czech-Slavonia; Uruguay; Greece; Guatemala; Haiti; Hejaz; Italy; Japan; Liberia; Nicaragua; Peru; Panama; Poland; Portugal; Roumania.

It will be observed that the British Empire, together with its four "self-governing" colonies and India, which is not self-governing, will

have 24 votes and the United States will have 4—the same number that Japan or Haiti or Hejaz or Liberia or Siam will have.

The general conference will meet at the seat of the league of nations, where an "international labor office" will be established "as a part of the organization of the league of nations."

Article 339 provides that "each of the members will [shall] pay the traveling and subsistence expenses of its delegates and their advisers and of its representatives attending the meetings of the conference." There is no method provided whereby this fund shall be raised or through what channel it shall be disbursed. However, the presumption is that each member [nation] agreeing to the treaty and thus becoming a party to that portion of the contract devoted to the international labor conference will appropriate funds to meet the expenses.

The governing body of the international labor office is to consist of 24 persons, 12 representing the Governments and 12 representing the employers and the workers—6 each. The 12 latter shall be elected by their respective groups. Of the 12 representing the Governments, 8 shall be "nominated" by the "chief industrial groups in the main conference" and 4 shall be "nominated" by the Governments' delegates. The council of the league of nations shall decide which are the groups "of chief industrial importance." Members of the governing board will hold office for three years. The governing board shall regulate its own procedure and fix its own times of meeting. There is to be a director appointed by the governing board and a staff (no number mentioned) appointed by the director.

We now have (1) a general conference of 128 delegates meeting at least once a year, (2) a governing board of 24 holding office for three years and meeting when and where it pleases, (3) a director of the international labor office with an indeterminate number on his staff. Each of the members will [shall] pay the traveling expenses of the delegates to the conference, members of the governing board, and all advisers. All other expenses of whatever nature "shall be paid to the director by the secretary general of the league of nations out of the general funds of the league."

The functions of the international labor office (controlled by the governing board) shall be the distribution of information "on all subjects relating to the international adjustment of conditions of industrial life and labor and the preparation of the 'agenda' (program) for the meetings of the conference."

The subjects for discussion and consideration by the conference "shall be determined by the governing board." Objections to any subject may be made by any of the members [Governments] but such objections may be overruled by a two-thirds vote of the delegates present in the general conference. After the conference has reached a decision upon any subject a proposal either (1) for legislation or (2) for an international convention may be recommended to the members [Governments] to give it effect. A two-thirds vote is required and "due regard to climate, conditions, and imperfect development" shall be had.

Now comes the vital part of the contract. Each member "undertakes [agrees] that it will within the period of one year at most from the closing of the session of the conference or at the earliest practical moment, and in no case later than 18 months, bring the recommendation before the authority or authorities within whose competence the matter lies for the enactment of legislation or other action." In the case of Federal States the power of which to enter into conventions on labor matters is subject to limitations, this provision of the agreement is limited to recommendations only, and "in no case shall any member be asked or required to lessen the protection afforded by its existing legislation to the workers concerned." This is good as far as it goes.

In case any member [Government] fails to comply with the recommendations of the conference, an explanation may be required by the general board. If no reply or an inadequate reply is received, the fact may be published for the information of all the members. Any member [nation] may file a complaint against any other member [nation], and the governing board, after such complaint or on its own motion, may institute a commission of inquiry. Each member [nation] agrees to nominate three persons, forming a panel from which the members of the commission of inquiry shall be drawn. The secretary general of the league of nations shall nominate from this panel the three members of the commission of inquiry. This commission shall make a report indicating among other things "the measure, if any, of an economic character against a defaulting Government which it considers to be appropriate and which it thinks other Governments would be justified in adopting." The secretary general of the league of nations shall communicate the report to each of the Governments concerned in the complaints. Each Government must decide either to accept the recommendations or refer [appeal] the complaint to a permanent court of international justice to be established. The decision of this court shall be final and the court shall "indicate the measure, if any, of an economic character which it considers to be appropriate." In the event of any member [nation] failing to carry out the recommendation, any other member [nation] may take against the defaulting member [nation] the measures of an economic character indicated in the report of the commission or the decision of the court. These provisions of the treaty are to apply to colonies, protectorates, and possessions "except where local conditions make it impossible or require modifications." All expenses of the first meeting of the labor conference in Washington and originally called for October, 1919, will be borne by the members [nations] "in accordance with the apportionment of the expenses of the International Bureau of the Universal Postal Union."

How will this portion of the treaty of peace, providing for an international labor conference, affect America industrially and economically? It is clear that the machinery provided in the contract contemplates the internationalization of all matters "touching the problem of industry and employment," including unions, collective bargaining, strikes, wages, hours of labor, and all kindred subjects. A body of 128 delegates, 64 representing the Governments—presumably politically appointed—32 representing the employers and 32 representing the work people, in session at the seat of the league of nations, will have the power to consider and "recommend" what the policy of any member [nation] concerning any problem of industry and employment shall be. In this conference the United States will have 4 votes—4 out of 128.

For example, take the five most vital questions touching industry and employment—wages, unions, closed shops, strikes, and collective bargaining. For a hundred years, with a few and never-to-be-forgotten exceptions, the United States has adhered to the policy of protection. The difference between the cost of production in this country and competing countries as a rule has measured the amount of protection accorded. Wages are about 80 per cent of the cost of production, hence wages have been a matter of vital importance. The scale of wages always has been higher in this country than in any other country. Suppose the International Labor Conference controlled by the members from

China, Japan, Brazil, Portugal, New Zealand, Belgium, and perhaps France and Italy decide that the scale of wages in the United States is too low. This might be made an excuse for increasing the cost of production in the United States, thus aiding the commercial rivals of this country in international trade. Suppose the recognition of unions be made an international policy by the labor conference, what would prevent the trades-unions from controlling the industries of the world? Thus the unions of half a dozen European and Asiatic countries might control industry and employment in the United States. Suppose the conference should decide upon the closed shop and recommend it to the different members [nations]. Where would the United States then stand as an industrial nation? What would become of the American right to work unless all workers joined unions? Suppose the right to collective strikes should be recommended as an international policy. Is the United States ready to legalize collective strikes? Is it prepared to legalize collective bargaining?

True, the conference of 128 delegates sitting at the seat of the league of nations under the contract can only "recommend"; but what follows the failure of any member [nation] to carry out the recommendation? Failure on the part of a member [nation] to obey the recommendation of the conference is followed by (1) publication of the failure, (2) an inquiry by a commission selected by the secretary general of the league of nations, (3) recommendations of "an economic character" against the defaulting member [nation], (4) appeal by any member [nation] to a court of international justice, followed by a decision indicating still further penalties of an economic character. Is there any doubt but what these economic penalties ultimately will be invoked against a "defaulting" member [nation]?

There appears to be no limit to the power of the proposed International Labor Conference within the broad field of industrial and labor problems. It is conceivable that the industrial supremacy of the United States, the hours of labor, the conditions of labor, the operation and management of industries, both great and small—of railroads, mines, etc.—ultimately might be controlled by the proposed International Labor Conference of 128 members (in which the United States would have only 4 votes) engineered by a governing board of 12, all of whom may be un-American, with its headquarters in Europe, probably at Geneva. It is conceivable that ultimately the control of America's domestic industries and transportation, so far as labor is concerned, might be transferred from Washington and the several State capitals to Geneva or the seat of the league of nations. The possibilities exist and the perils are apparent.

Furthermore, if the contemplated league of nations may use the "economic boycott," the International Labor Conference, an integral part of the league, may do likewise with equal effect. What is meant by an economic boycott? Refusal to trade, a blockade, cutting off supplies of raw material, food, coal, etc. Does America wish to be controlled by a labor conference of 128 men and a governing board of 12 men sitting in Europe? Is the United States prepared to surrender its industrial and economic rights to a coterie of men all but four un-American? Is the United States willing to jeopardize its fiscal and economic policy, its industrial independence, its supremacy? It is unthinkable.

It is argued that such a thing is impossible. Yet it is possible if the treaty of peace is ratified as it is with the provisions of the International Labor Conference intact. The treaty of peace is a contract. The creation of an International Labor Conference is a part of this contract, and the signing of the contract by the representatives of the United States makes binding upon the United States all the provisions, agreements, and undertakings recited therein. They can be enforced as much as any treaty can be enforced, and the United States always has lived and always will live up to its contracts. If the United States signs "on the dotted line," there is no escape from the consequences. Even the good effects of the American protective policy may be nullified.

The leading article in the April, 1919, number of the report of the United States Department of Labor, Bureau of Labor Statistics, is entitled "Control of labor conditions by international action." The article is by Lelgur Magnusson, evidently a gentleman with a foreign ancestry and alien turn of mind. In this article, vouched for by the United States Department of Labor, it is learned that the Socialist International is the present organized expression of the international socialist movement. It dates back to 1864, when Karl Marx organized the International Workingmen's Association of London. Thus the International Labor Conference, incorporated in the treaty of peace, distinctly is of socialist origin. The organization was revived in 1889 and held its last meeting in Copenhagen in 1919, where 33 nations were represented. This movement was followed by the International Trades Secretariat, and since 1913 the International Secretariat has been the central executive organ of the International Federation of Labor. Nearly all the members come from European countries and represent collective policies—that is, State capitalism or socialism. As an adjunct to it the International Association for Labor Legislation was formed in Paris in 1910 for the purpose of promoting treaties touching the movement of labor, emigration, equality of treatment of nationals and aliens, and uniform labor standards.

This is the organization which took advantage of the presence of the peace conference in Paris and succeeded in having attached to the treaty what is known as the International Labor Conference section. A program of purely European and socialistic origin was grafted upon a document designed to bring peace between the allied and associated powers on one hand and Germany on the other. To say the least, the process of the grafting was novel if not revolutionary. A commission on international labor legislation, headed by Mr. Samuel Gompers and comprising delegates from Great Britain, France, Italy, Japan, and Belgium, formulated a report and submitted a program, which was adopted by the peace conference and incorporated in the treaty of peace. Like the covenant of the league of nations, the labor conference is entirely foreign to a treaty of peace with Germany, to negotiate which the conference met at Versailles.

While the program outlined is innocent on its face, the possibilities are revealed, first, in the aims and objects of the European International Socialist Organization—collectivism, destruction of capitalism and the wage system, and the public ownership of industries and utilities; second, in the language used in the labor conference section of the treaty defining the functions of the general conference and the governing board to be the consideration of "all subjects relating to the international adjustment of conditions of industrial life and labor." That is sufficiently comprehensive to meet the views of any socialist or internationalist. There is no question touching the production and distribution of wealth or the policies of nations in solving their own industrial and economic problems which can escape the consideration and "recommendation" of this "International Labor Conference" in which the United States will have 4 votes out of 128, and perhaps no vote at all in the governing board of 24.



Twenty-seven nations (or separate countries), together with four self-governing British colonies and India (not a self-governing colony), will be represented in the general conference. Ten will be European, 7 Asiatic, 7 North American, 6 South American, and 2 African. The British Empire, with her colonies and India, will be represented by 24 delegates, and the 26 other countries (including the United States) will be represented by 4 delegates each. The British Empire will have only 8 less than 25 per cent of the entire membership, while the United States, with more at stake, with a larger industrial population, and with far greater industries, will have 3 per cent of the entire membership. In voting power the United States will be on a par with Cuba, Guatemala, Honduras, Liberia, Nicaragua, Panama, Roumania, Haiti, Siam, Uruguay, the Croat-Slovene State, Czechoslovakia, and Hejaz.

The idea is preposterous! Think of Hejaz, Siam, Liberia, India, or even China and Japan, voting to determine what the industrial or economic policy of the United States shall be! Think what the power of Great Britain, with her colonies united on an imperial commercial and preferential tariff policy might be! Labor is a vital factor in the cost of production, and the cost of production in a large measure will control in the future commercial struggle of the world. Suppose Great Britain, France, and Italy, together with Japan, should form an anti-American commercial alliance and with their 36 votes in the international labor conference gain control and seek to force a labor program crippling the United States. With only 4 votes in the conference, what could the United States do? Nothing but submit to the consequences. Suppose the United States refused to carry out the program. An economic boycott would follow. Such possibilities are sufficient to warn patriotic Americans.

Yet it is argued that the aims of the organizations are to raise the labor standards of all other countries to the level of the American standard. Will China and Japan, or even Great Britain, France, and Italy, agree to this? By no means; for that would mean defeat of their plans for a resumption of domination in the trade of the world and the recapture of the markets of the world. In the struggle the tendency will not be to raise the low-standard countries, but to lower the high-standard countries. Water always runs down hill. No international labor conference can be sufficiently strong to embrace in its protecting scope the workmen and workwomen of the world. If American workmen and workwomen think they will improve their condition under international rather than national protection they have a serious disappointment in store for them.

Examination of the labor and industrial conditions of the 32 countries, including the colonies of Great Britain and India, faintly suggests the folly of attempting to protect labor conditions the world over by an international board and the impossibility of trying to raise and make uniform or even approximately uniform the standards of all.

Take the European countries in the proposed labor conference—even the best are low grade compared with the United States, while Greece, Poland, and Portugal are below comparison, and Roumania, the Croat-Slovene State, and Czechoslovakia are out of consideration. Take the Asiatic countries—Japan, China, Siam, India, and Hejaz are either cheap-labor countries or slave countries. Australia and New Zealand would do Great Britain's bidding. In North America Canada would follow Great Britain's lead, while the countries south to Panama are low-wage or practically peon countries. All the countries in South America are low-wage countries, mostly agricultural, and all more or less backward. Even in Brazil, one of the most advanced countries in South America, out of a population of 17,000,000 more than 80 per cent can neither read nor write. In this international hopper the tendency will be to drag down the high-grade countries, not lift up the low-grade countries. If the dreams of the international labor conference are to be realized even partially, the burden must rest on the high-grade countries. With its 4 votes, what can the United States do toward solving this tremendous problem?

It will be observed that Part XIII sets up an organization which is to be "permanent" in character. Indeed, article 387 says: "A permanent organization is hereby established for the promotion of the objects set forth in the preamble."

The object of this organization, then, is to deal with the numerous subjects to which I have just referred and which are embraced within the preamble. This organization by the terms of the treaty is required not only to take cognizance of all these domestic questions but to act in relation to them. A power outside of the States who are members of the league is set up and required to take jurisdiction of these important internal questions and to deal with them. Who can doubt but what the international organization will more and more strive for power and authority; and, backed by international socialists and communists, it will attack in time the authority of the States to deal with their internal affairs, and seek the destruction of national lines and the union of the laboring classes, if not all other elements of society, under the control and authority of this overshadowing international power. So powerful is this organization that it is to deny representation by members—that is, nations—of the league unless the delegates sent meet the approval of the organization. The seat of this international power will be for the present in Geneva, and from its officials and from the meetings of the representatives, four only of which will be from the United States, orders will emanate, decrees will be promulgated, and statutes enacted, which will affect the labor of the United States and the internal and national affairs of this Republic.

Among the functions of this international labor office are the collection and distribution of information on all subjects relating to the international adjustment of conditions relating to industrial life and labor, and particularly the examination of subjects which will be brought before the conference to the end that international conventions may be made and that special investigations may be ordered. It will deal with international disputes. It will edit and publish a periodical paper, which may

be published in many languages, dealing with the problems of industry and employment; and it shall have "authority to do all things assigned to it by the conference." The distinguished Senator from Colorado [Mr. THOMAS] discussed article 396, to which I have just referred, and directed attention to the dangers which are involved in its provisions. He called attention to the enormous expenses that will follow from the establishment of a permanent labor bureau, the collection of information from all parts of the world relating particularly to the subjects within the jurisdiction of this international organization, and the "editing of a periodical in two or more languages to accommodate the needs and wishes of labor throughout the world." Not millions and tens of millions but hundreds of millions of dollars will probably be required to carry out the work of this organization.

Its mission is to emphasize class consciousness and to unite into one all-powerful organization, international in character, the laborers of the world. It will thus separate the people residing under the same flag and impress them with the view that this world organization with its capital and seat of power in Europe controls labor and is the beneficent and protecting power to which the laborer should go whenever he seeks the amelioration of his condition. It is manifest what a policy of this character would result in; it would divide the allegiance of the people and in time transfer from the Government under which they live their affections, their interests, and perhaps their loyalty to an alien, all-powerful world organization. If workmen feel the conditions of labor or any economic or industrial condition need reform, appeals will be made for correction not to the State and the Government under which they live but to this foreign, all-powerful Frankenstein. Even if conservative men should control this international organization and they should seek to restrain its activities within what might be called legitimate or proper bounds, in time with its world perspective and its world-wide authority they would extend its activities and magnify its operations. Ambitious men in the ranks of labor, even in this free land, are seeking to drive a wedge into society and organize labor for political power and to control the Government. Others more radical proclaim the union of workmen in all the world for the purpose of political control of all nations.

It has been estimated that this international creation provided for by Part XIII will require not thousands but tens of thousands of employees to collect information upon labor and all allied and connected subjects, publish and distribute newspapers among the hundreds of millions of laborers throughout the world, and to carry out the stupendous program of this world colossus. The members of the league will have to meet these enormous expenditures, and the people will be taxed for such purpose.

This international organization is to prepare conventions or treaties to be submitted to the various members of the league and to make recommendations for their guidance in dealing with their domestic and internal problems.

Article 408 provides that the members of the league are to make an annual report to the international labor office on measures which it has taken to give effect to the provisions of conventions to which it is a party, and these reports "shall be in such form and contain such particulars as the governing body—that is, of the international organization—may request." In other words, sovereign States are compelled to submit to an extraneous organization, an international body, in the form which it may prescribe, reports as to its conduct in dealing with conventions and recommendations prepared by such organization. If this world power makes a recommendation or if a convention has been accepted by the United States or any member of the league, upon any complaint being made to the international labor office by any "industrial association" of employers or of workers, such nation may immediately be brought to account. In other words, this international labor organization sitting at Geneva, upon complaint of some organization of laborers in Liberia or India or Japan that the United States has not carried out the recommendations or the terms of the convention submitted by the international organization and agreed to by the members of the league, may summon this Republic to make "statement on the subject as it may think fit," and if no "statement is made within a reasonable time," or if the statement submitted "is not deemed satisfactory to the governing body of the labor organization," it shall have the right to publish the defense of the United States and its reply thereto. And if Liberia or Japan or any other nation shall make a complaint to the international labor office that the United States is not observing a convention in accordance with its view, the governing body of the labor office shall have the right to communicate with our Nation and notify it to submit a statement in defense of its alleged misconduct, or if the governing body does not think it



necessary it may apply for the appointment of a commission of inquiry to consider the complaint and to report thereon.

I might also add in passing that a delegate to the conference may make complaint against a nation, so that this Republic might be made a defendant before this international organization upon the complaint of some delegate sent to the conference from a labor union of Australia or Japan, or the farthest and most backward nation of the world. The commission of inquiry would consist of persons selected from other countries and might be from Asia or Africa or the islands of the sea. This commission of inquiry has power to sit and try the United States or any other nation, and to prepare a report embodying its findings on all questions of fact relating to the issue between the parties, and containing such recommendations as it may think proper as to the steps which should be taken to meet the complaint and the time within which they should be taken. The commission is also required "to indicate in its report the measures, if any, of an economic character against a defaulting Government which it considers to be appropriate, and which it considers other Governments would be justified in adopting." If a nation against whom findings are made refuses to accept the recommendations made in the report of the commission, the matter will be referred to the permanent court of international justice and its finding upon the question "shall be final." Its decision may result in an economic boycott against the defendant nation. It matters not that the question involved is domestic or that it involves constitutional questions. A foreign tribunal decides what this Nation shall do, regardless of the constitutions of the States of the Union or the Constitution of the United States. Its decisions may be at variance with our settled policies and in opposition to the adjudications of the Supreme Court of the United States. In discussing this part of the treaty the Senator from Illinois [Mr. SHERMAN], in his speech delivered on the 11th instant, made the following statement:

The Senator from New Mexico [Mr. FALL], in discussing that question last Friday afternoon, reminded the Senator of a regulation that might be made by Congress, declared valid by the Supreme Court of the United States, and declared inapplicable, or no longer to apply to us, by the international labor conference. He then propounded the inquiry, Whom would we obey, our own Supreme Court mandate or the international labor conference?

It is provided here that the finding of the permanent court of international justice shall be final, and in its last judgment on the question it may indicate in its order the character of the economic pressure which it considers appropriate to be applied to a defaulting Government. If that were applied to us, let us examine for a moment what it would do, what would be the necessary consequence if the international court should enforce one of its orders against us for a failure to obey some finding of the international labor conference.

The Supreme Court might declare that the regulation was valid. It would be binding upon every citizen, official, and every State authority in the 48 States of the Union. It would be valid to all intents and purposes within our territorial limits. However, at some remote point in the world—Geneva or some place in Baluchistan—the international labor conference shortly afterwards holds its meeting. They find that the rule we have adopted, and which the Supreme Court has held valid in our country, is not in accordance with international justice.

The angle at which the various nations of the world view it will be expressed by two-thirds majority. If two-thirds majority have been obtained, they will enact some other and different rule for the regulation of the same subject. Child labor is a good illustration. Child labor in the British East Indies or in any part of the warmer portion of Asia would require a vastly different standard from that of the northern Temperate Zone. The development of children, the age at which they reach maturity, is somewhat a question of latitude. Therefore the rule that would be applicable in our country would be a too high age limit in the Tropics or in any of the warmer portions of central Asia. It would not apply to portions of northern Africa, any of the French possessions, Algiers, or Egypt, or of the various countries where there is an earlier maturity of childhood.

Therefore the conference may arrive at some different conclusion and impose some other international rule upon us, a different law than that we had provided for our own domestic affairs. Of course, they can not enforce it unless by war. That is a matter for us to decide to suit ourselves. But under these provisions economic retaliation is the weapon expressly provided. In the covenant of the league of nations one of the articles empowers the instruments of that league to create a permanent court of international justice. Evidently the men who framed these various articles knew what they were doing. They had a very comprehensive view of the entire mechanism, and it fits accurately one part to another.

The permanent court of international justice referred to in articles 416, 417, and 418 is the same tribunal the creation of which is provided for in the covenant of the league of nations. Their decree, therefore, binds all the appropriate measures of economic retaliation the governments would be justified in adopting against any defaulting government. Article 419 goes still further:

"In the event of any member failing to carry out within the time specified the recommendations, if any, contained in the report of the commission of inquiry, or in the decision of the permanent court of international justice, as the case may be, any other member may take against that member the measures of an economic character indicated in the report of the commission or in the decision of the court as appropriate to the case."

So it is not only the joint action of all the members taking part in the conference, but any one of them may, on its own initiative, undertake to enforce economic retaliation against us. It may make burdensome port regulations; it may put on discriminative duties; it may lay an embargo upon the principal articles we export to their market; it may take any measure that, in the discretion of its government, it sees fit to adopt, and we are helpless as against one of the members of the international conference or against all of them acting jointly against us.

If the State of Texas or Massachusetts enacted labor laws, and complaint was made to this international tribunal, and it found that such laws were in violation of some accepted recommendation or convention, and the United States were put upon trial and adjudged to be in default, an economic boycott might be proclaimed against this Government, even though the States of Massachusetts or Texas had acted within the limits of their jurisdiction or power.

If time permitted further examples could be submitted showing the extent to which Part XIII interferes with the control by the United States and the States of the Union of their purely internal and domestic affairs. The Senator from Wisconsin [Mr. LA FOLLETTE], the senior Senator from Colorado [Mr. THOMAS], the senior Senator from Missouri [Mr. REED], and the senior Senator from Illinois [Mr. SHERMAN] have submitted to the Senate able and exhaustive arguments dealing with the various provisions of Part XIII. The addresses of these eminent Senators so fully cover the subject that it is a work of supererogation for me to further discuss these provisions of the treaty.

In the consideration of the treaty by the American people attention has been directed almost exclusively to the provisions of Part I, relating to the covenant of the league. So absorbed have the people been in the overshadowing question as to whether this Nation should enter the league of nations that other important provisions of the treaty with Germany have been overlooked or ignored. Part XIII has scarcely arrested attention, and only a few individuals in our country have been attracted by its provisions. It has been my observation, however, that those who have carefully analyzed its provisions with a view to determining whether it was consistent with American ideals and the principles underlying this Government and with the interest of our social organism, and whether it was of advantage to the American people and to the Nation, have been filled with the most serious misgivings or have been firmly convinced that the creation of this international organization may endanger the peace of the world and prove a menace to this Republic.

The Senator from Wisconsin has strongly opposed Part XIII, and has pointed out in a convincing way the injury which is sure to result to American labor if the United States becomes a party to the international organization provided for in Part XIII. The standard of labor in the United States is superior to that in other lands. It is not my purpose to institute comparisons that would tend to disparage the peoples of other lands, but yet a discussion of this question compels the statement that the conditions prevailing in this Republic are so superior in character, measured by every standard, to those obtaining in other nations, that it would be unfortunate for the American workmen to be drawn into an international organization the control of which would be in the hands of European and Asiatic nations.

The purpose of this international organization will be, as indicated by the terms of Part XIII, and the declarations of the internationalists who procured its adoption as a part of the treaty, to secure uniformity of labor conditions throughout the world. It is absolutely impossible, as was so clearly demonstrated by the Senator from Wisconsin, to effectuate this plan without the reaction being unfavorable to the American workmen. It is preposterous to attempt uniformity of labor conditions with such varied climatic, physical, industrial, and racial conditions prevailing throughout the world. Labor and its interests are inseparable from capital; Persia, and Japan, and China, and other nations of the world lack capital. The conditions of labor in these countries, therefore, can not possibly be brought to the same standard as those existing in the United States or in those nations which have an abundance of capital. No international organization can deal with the labor conditions within the United States as the States and the Federal Government can deal with them. Any attempt by such an extraneous organization or extraneous authority would disastrously affect the situation of labor in the United States. Any attempt to secure uniformity, to bring to the same level the conditions of labor throughout the world, will profoundly affect labor in all of its conditions and situations in the United States. No leveling process must be employed that may bring American labor down. If Part XIII becomes operative, we transfer to an alien organization the control of this vital internal question, and the American laborer will find the forum for redress across the seas and not within his own land and among his own people. The American laborer's interests are inseparably interwoven with the interests of the American people. Their welfare and prosperity is his concern. His interest as a part of our economic, social, and political organism is the interest of all others who live under the flag, and their interest and his interest will be best promoted if the questions provided for in Part XIII and



which are to be dealt with by an alien and foreign authority are confided where the laws and Constitution of this country provide, namely, with the States of the Union and the Government of the United States. As I have stated, in the international concerns which the treaty provides for, the United States will have but 4 representatives, Great Britain 24, and the other signatories to the league 4 each. Thus an organization will be created consisting of 132 representatives, 4 only of which are from the United States. No matter how liberal and tolerant the representatives of other nations in this international organization may be, the superior condition of the American workmen, the power and wealth of this Government, of necessity, would create some resentment, or at any rate would provoke such intense sympathies for other countries as to lead to invidious legislation, if not discriminatory policies against the United States.

It is a matter of public history that Mr. Gompers, who presided over the commission that drafted Part XIII, felt that American labor would gain no advantage from its provisions. Mr. Gompers, in his address delivered at the thirty-ninth annual convention of the American Federation of Labor at Atlantic City, June 20, 1919, referred to the contest which took place at the conference, and stated that he found himself "continually depressed, though fighting on and on until the last moment." So unsatisfactory were the provisions of Part XIII that Mr. Gompers declared that "we could not be parties to the covenant as it then stood unless some provision should be made to safeguard the rights and interests of the American wage earners."

The only measure of protection obtained by Mr. Gompers was the declaration contained in article 405, "that in no case shall any member be asked or required, as a result of the adoption of any recommendation or draft convention by the conference, to lessen the protection afforded by its existing legislation to the workers concerned."

Mr. Gompers appreciated that any effort to secure uniformity of conditions for labor throughout the world would result in the lowering of American standards, and might call for a change in existing laws enacted by States of the United States in the interest of labor. He insisted that this leveling process, by which uniformity was to be secured, should not lessen the protection afforded by existing legislation.

Mr. President, the plan involved in Part XIII of setting up an international labor superpower is not new, and its genesis is not found at the Paris conference. For years a vigorous propaganda has been carried on by internationalists and extreme socialists for the destruction of what they call capitalistic governments and the overthrow of the existing political and industrial structures throughout the world. From time to time conferences have been held by representatives from various countries and from them have gone forth zealous advocates, whose proselyting efforts carried them into almost every land. An international convention was held at Berne, in Switzerland, in February of this year, and it announced a program which, in my opinion, if carried into effect, would destroy society and all Governments of the world. Its program was conveyed to the peace conference at Paris and its demands, in part at least, find expression in Part XIII of the pending treaty. Bolsheviks, communists, socialists, and internationalists were members of the Berne conference, and the resolutions there adopted have become for the present the basis of the campaign which is being waged in all the world. Of course, their demands will become more radical; concessions granted in Part XIII of the treaty will lead to further demands and to the enlargement of the power and authority which is sought for the international organization soon to be created. These are some of the demands of the Berne conference:

The functions of the league (meaning the league of nations) shall include the establishment, development, and enforcement of an international labor charter.

Let me pause long enough to remark that this international communistic conference was dictating to the peace conference what provisions should be inserted in the peace treaty with respect to labor. The demand was made that an "international labor charter should be established and its provisions enforced."

The conference further declared:

The limits which capitalism has reached are very different in the various countries. One of the dangers here involved is that industry and labor of the more progressive countries are injured by a system of sweated labor in the more backward countries. The need to establish an international standard of labor legislation—

Another resolution urged that the socialists of the whole world should "close their ranks and not deliver the revolutionary peoples into the hands of international reaction."

Only one interpretation can be placed upon this resolution, namely, that the revolutions, industrial and social, be continued, and that the socialists fight on for the overthrow of the so-called

capitalistic system and the establishment of the internationalist form of international anarchy.

It was further declared:

The Berne conference having taken into consideration the resolutions adopted by the international trade-union conferences of Leeds and Berne, and without prejudice to any more far-reaching resolutions which may be adopted by trade-unions, demands that the following minimum requirements, which are already carried out in part in some countries, shall be converted into a code of international law by the league of nations on the conclusion of peace.

It will be observed that a demand is again made that the league of nations shall execute the scheme of the internationalists, and that their requirements shall be converted into a code of international law.

The conference then declared what should constitute a day's and a week's work, and what conditions should obtain in respect to the service rendered by labor. A portion of the code of international law, which they demand shall be enacted, relates to the following matters, as indicated by the resolutions adopted:

In all districts where there is home work, wage boards, representatives of employers and workers shall be instituted, with the duty of fixing legal rates of wages. The rates of wages shall be posted up in the work places. Immigrant workers shall enjoy the same rights as the workers of the country into which they immigrate as regards joining and taking part in the work of trade-unions, including the right to strike. Any interference with the exercise of the right of combination and association should be punished.

It is to be observed that the States and Nations are to be deprived of the power to control these questions, vital to their existence, and an international organization is to enact laws to govern labor and labor conditions and all related questions within the States which belong to the league of nations. Combinations may be formed in States, but this international tribunal will be omnipotent, and the State in the exercise of its police power may not interfere; nor may a State interfere with foreign workers, and it can not prohibit immigration, but may only restrict it temporarily where there is a period of economic depression, but even then the purpose must be to protect the foreign workers, as well as the nationals of the nation involved.

The resolutions "demand that the States shall convoke as speedily as possible an international conference, which must take effective measures against the reduction of the value of wages and assure their payment in money which has not depreciated in value." The States are also required to "insure all workers against industrial accidents, and a system of unemployment insurance shall be set up in every country."

The conference further demands that a special international code for the protection of seamen shall be established, and it "shall be prepared in collaboration with the seamen's unions."

The further demand was made that the peace treaty should contain provisions in order to further promote international labor regulations and that the signatories to the treaty should appoint a permanent commission—

consisting in equal parts of representatives of the States which are members of the league of nations and of the international trade-union federation. The commission shall prepare the ground for and convoke conferences of representatives of the contracting States, which shall be held every year to promote international labor legislation. One-half of the voting members of the conference shall consist of representatives of the organized workers of every country. The conferences shall have power to adopt binding resolutions within the scope of the powers conferred upon them.

An examination of Part XIII forces the conviction that the international Berne conference either drafted Part XIII or its influence and spirit controlled those who gave it form.

Mr. John De Kay, in his book called "The Spirit of the Internationale at Berne," discusses internationalism and the aims of the Berne conference. He boldly declares for internationalism and states:

These great bodies (labor organizations) should, without delay, create a world parliament—a world parliament standing for the interests of the masses of labor in all lands and dedicated to a protection of the general social welfare without distinction as to race, nationality, or religion. Such a world parliament should meet three or four times each year in the capitals of various nations. It should be provided from the general funds with its own public buildings and expenses; it should elect its executive board of action and confide to such a board or cabinet the powers to carry out decisions, summon the parliament in the event of a crisis, and by the decisions of such a parliament the labor and socialism of the whole world should abide, and upon its mandates they should act.

He further declares:

There is no time to be lost in the creation of this unique and only body through which exploitation and wars may be abolished. \* \* \*

This is not the time to foster revengeful measures against one nation or another or to inflict arrogance upon vanquished men whose despair will lead to a form of social upheaval which will cross all national boundaries. This is to-day only an eventuality, but it may soon be a reality. \* \* \*

As one who has associated with the plutocrats and who knows their arrogance and blindness and how reluctant they are to believe in anything except the omnipotence of their own powers, I feel that they will only act in any new or reasonable way under pressure of the most direct and irresistible sort. \* \* \*

Gradually the feeling is gaining ground that the policy of negotiation is failing, and concurrently with this sentiment the ideas of constitutional action are passing from the minds of men. This is an ominous sign which he who runs may read. It bears a sinister inscription which must not be ignored.

Let there be no mistake as to what these words mean. If there is to be "no more war," it means complete disarmament for every nation. And if "all is possible" it is not to be translated into universal violence. It means that those who now rule mankind through industrialism and governments must by conciliation and negotiation enable the toilers throughout the world to realize without delay their natural and legitimate demands. These are set forth with great moderation in the resolutions and speeches here published.

It will be well for the ones in whose hands the fate of mankind temporarily rests in Paris to take into full account the moderate demands of the patient men who were represented at Berne and who represent the class which is in the future to rule the world.

I commend these pages to the consideration of all who have any voice in the affairs of men, with the solemn warning that unless the message of the international at Berne is heeded without delay, there will be no escape from violence and dictatorships; and, contrary to official calculations, the violence will precede the dictatorships.

This calamity should and may still be averted on the lines I have indicated. If these are ignored, any physical force which can be employed will be no more potent than a man raising his hand to stay a hurricane, which unfortunately goes its way and carries everything before it.

These words are ominous and reveal what is back of some of the advocates of Part XIII of the treaty. It will be noted that Mr. De Kay calls the Berne demands "moderate," but they are the demands of those who "represent the class which is in the future to rule the world."

The solemn warning is further given "that unless the demands of the conference are heeded without delay, violence and dictatorship" will come to the world. That, of course, is the position of Lenin and Trotsky and the Bolsheviks—the position of Foster and Margolis and other radicals who are now affiliated with organized labor in this country and are attempting to use labor organizations for revolutionary purposes.

It fills one, who believes in law and order and in our form of government, with misgivings to turn from a perusal of the proceedings of the Berne conference to an examination of Part XIII and to the statements made by Mr. Clemenceau and others who participated in the peace conference. An exchange of notes occurred between the German delegates to the peace conference concerning international labor legislation. The German representatives in a note dated May 14 of this year, addressed to Clemenceau, complained that Part XIII did not sufficiently adhere to the plans of the Berne conference. Clemenceau, writing as president of the conference, under date of May 31, referred to the resolutions adopted by the Berne conference in February, and then added:

5. While the resolutions passed by the Berne conference, February, 1919, gave expression to the wishes of the workers and defined their aspirations for the future, the Washington conference provides the means of giving effect to such of these aspirations as can be embodied in legislation without delay, and the labor organization will give opportunities for progressive expression to others, in accordance with the guiding principles already mentioned. The labor commission, moreover, set up by the peace conference envisaged all the points mentioned in your letter as coming within the scope of the labor organization, including an international code of law for the protection of seamen, to be especially drawn up with the collaboration of the seamen's union (copy annexed).

6. It also adopted a resolution (copy annexed) in favor of the organization being given power as soon as possible to pass resolutions possessing the force of international law. International labor laws can not at present be made operative merely by resolutions passed at conferences. The workers of one country are not prepared to be bound in all matters by laws imposed on them by representatives of other countries; international conventions as provided for under the peace treaty are therefore at present more effective than international labor laws, for the infringement of which no penal sanctions can be applied.

I ought to add that the German note insisted that "the final decision in questions of labor law and labor protection belongs to the workers themselves."

The German note further states:

It was the intention of the German delegation to give occasion, even while the negotiations of peace are proceeding, to the legitimate representatives of the working people of all countries of casting their vote on this point and bringing into conformity the draft of the conditions of peace, the proposal of the German democratic government, and the resolutions of the international trade-union conference held at Berne from February 5 to February 9, 1919.

President Clemenceau, in his reply, went further and states:

It is not correct to say that the demands raised by the International Trade Union Congress at Berne are disregarded, inasmuch as the points raised in these resolutions, as well as all other relevant considerations, were discussed and carefully considered, and for the most part are embodied in the preamble of Part XIII or in the general principles which are accepted to guide the league of nations and the labor organization in the attainment of social justice.

He further states that the labor commission set up by the peace conference—

envisaged all the points mentioned in your letter as coming within the scope of the labor organization, including an international code of law for the protection of seamen, to be especially drawn up with the collaboration of the seamen's union.

This further significant and important statement is made by Clemenceau:

It (referring to the peace conference) also adopted a resolution (copy annexed) in favor of the organization (meaning the labor organization provided by Part XIII) being given power as soon as possible to pass resolutions possessing the force of international law. International labor laws can not at present be made operative merely by resolutions passed at conferences. The workers of one country are not prepared to be bound in all matters by laws imposed on them by representatives of other countries; international conventions as provided for under the peace treaty are therefore at present more effective than international labor laws, for the infringement of which no penal sanctions can be applied.

In Annex 2, accompanying the letter of Clemenceau, he states:

ANNEX 2. The commission expresses the hope that as soon as it may be possible an agreement will be arrived at between the high contracting parties with a view to endowing the international labor conference, under the auspices of the league of nations, with power to take, under conditions to be determined, resolutions possessing the force of international law.

No other conclusion is possible after reading the proceedings of the Berne conference, the correspondence between Clemenceau, speaking for the peace commissioners, and the representatives of Germany at the peace conference, and also Part XIII, but that it is the purpose to constitute the organization created by Part XIII an international force and authority for the control of the world's labor and to deprive States of the right to act in respect to vital domestic questions.

It seems incredible that the demands of the internationalists should have been acceded to and that this dangerous international superpower should have been set up. The promise has been made that this organization shall have power to enact resolutions and statutes having the force of international law. No nation possesses this power, but it is proposed to confer upon this organization, this supernatural power, this extraordinary authority that it may by its decrees and regulations and orders and edicts control the labor of the world. This scheme calls for an international organization, world wide in authority, which will project itself into all States members of the league, determine what legislation shall be enacted in regard to labor and the multitudinous relations of labor to the State, and to the activities and industries of the State.

It requires no imagination to perceive the conflicts that will inevitably ensue between the States and this international authority concerning their respective jurisdictions. The most earnest advocates of the covenant of the league have insisted—and in that view I have concurred—that it was not intended that the league of nations should interfere in the domestic affairs of the State. President Wilson, ex-President Taft, and others who have urged the ratification of the treaty, including the covenant of the league of nations, have declared in effect that there must be no invasion of the internal and domestic affairs of our Nation.

Those who are defending the provisions of Part XIII do not contend that its provisions are repealed or controlled by any other provisions in the treaty, or will be repealed by the reservation adopted by a majority of the Senate, withholding from the authority of the league domestic questions of every character. It would seem, however, that there is a conflict between Part XIII and the reservation referred to. The control of labor is a domestic matter purely. The creation of an international organization to exercise the powers contained in Part XIII, if it asserts the authority given by such article, must inevitably lead to serious and deadly conflicts between the States and the international organization.

If the workingmen of the world are organized internationally and an international tribunal is set up endowed with the power which the internationalists will claim for the organization created by Part XIII, it is as certain as that night follows day that States, no matter how powerful, will in the end suffer devitalization and perhaps denationalization. The division of society into classes will become more pronounced and States and the world will soon be involved in internecine struggles, deadly and destructive, born of class hatreds and class consciousness. It is a fatal mistake to constantly emphasize that there are different classes within the State. There is no class warfare in this Republic. It is the public welfare for which this Republic was established.

There should not be a solidarity of manual workers; there must be a solidarity of all the people. Substantially all Americans are workers, and any movement which seeks to divide the people and to classify them and to provide organizations which emphasize division and promote class legislation will prove harmful and destructive of the Republic. It is unwise to foster the formation of groups in the commonwealth and to accentuate the differences between the groups and the necessity of special legislation to deal with each group. The farmer is interested



in banks, in railroads, in the manufacturing plants of the country, and in legislation which deals with every part of the industrial or political organization. The same is true of the man who works in the factory, the shop, or in the mill. The interests of the banker, the railroad president, the investor, the farmer, the employee are mutual in everything that affects the prosperity of the people and the security of the Nation. I repeat, in this Republic we are one people—we rise or fall together. Whatever promotes the interest of one is advantageous to all. The political formula of equal and exact justice to all and special privileges to none should find expression and exemplification now as never before.

In this peace treaty there is no place for Part XIII. Its provisions are wholly extraneous. It is so incongruous as to arrest the attention of even those who are mentally moribund. The representatives of the various nations convened at Paris to negotiate a treaty with the Central Powers. As a part of that treaty and to execute its terms the representatives made provision for a league or instrumentality. It was hoped that by the cooperation of the signatories the causes of war might be diminished and the peace of the world more effectually assured. In my opinion the accomplishment of this purpose, so far as it was within the legitimate scope of a league of nations, did not call for the creation of another and a different organization, such as is provided for in Part XIII of the treaty.

With as much propriety an organization could have been created for the agricultural interests of the world or any other element found within the social structure. I repeat that it is a mistake to provide machinery and instrumentalities that tend to accentuate any division of society. The effort should be to unite and not divide and to impress upon all the people the important truth that they are indissolubly linked together.

Of course, the welfare and advancement of labor is desired by all. We not only desire the welfare of labor in the United States, but the American people look with the deepest interest in the progress and prosperity of labor in all parts of the world. But I am not willing, and the American people in my opinion are not willing, to transfer to any other nation or to any extranational organization the power to control the internal and domestic affairs of this Republic. Notwithstanding the altruistic and humanitarian impulses and influences which more and more unite races and nations, and notwithstanding the spirit of mercy and charity developed by the Christian faith, under which the peoples of the world are drawn into closer union and into more perfect integration, the American people believe that they can best serve the world by preserving this Republic in all its power and vigor. They believe that, under God, it has a mission in the world, and they are unwilling that it should become denationalized or devitalized. There is a field for international service, but there is a broad field for national service. This Republic is the crowning glory of the ages. The Constitution of the United States is the highest expression of political wisdom the world has ever possessed. This Republic has carried high the standard of civilization and of liberty, and in the future it will continue to bear aloft the standard of freedom and illumine the paths of the less fortunate peoples to the world.

A wicked and sinister internationalism is firing the temples of the past and savagely seeking the destruction of the great and priceless inheritance which the struggles and sacrifices of countless ages have bequeathed to the world. The unmistakable lessons of history are ignored, and, led by wild and distempered minds, masses of people are hurling themselves against the foundations and the pillars of the protecting superstructures under which they live. A debasing and destructive internationalism is destroying Russia and poisoning other peoples and nations. Strange cries are heard throughout the land, and the false and sinister voices are heard everywhere in violent denunciation of liberty and law and national spirit and national life. Our own Republic has been invaded by these enemies of humanity. They are in our industrial centers, and their poisonous propaganda penetrate all parts of our land. Lenin and Trotsky have become the evangelists of this destructive creed, and thousands of their followers are girdling the world, seeking the overthrow of nations and society. Neither life nor property under their creed is secure, and nothing short of world revolution will satisfy the mad ambitions of these deadly enemies of humanity. Their operations in our own Republic have brought partial paralysis to our economic life and incalculable suffering to the people. The many strikes which have been called in part resulted from the preachings and wicked activities of these internationalists. They have fastened themselves upon the organizations of labor and have in a subtle and secret manner intruded themselves into our social and industrial organizations. The disclosures of the activities of these internationalists in our own land during the past few months have made clear the pur-

pose and designs of those who are seeking to undermine the national spirit and to break down national organization. Lenin has avowed over and over again his purposes and the purpose of his followers. Russia as a State is to be destroyed. The Russian people as such are to become effaced. The great Empire that stood as a mighty colossus upon the earth is to be leveled to the dust. There is to be no more Russia, no Russian spirit, no Russian consciousness, no national flag, no national spirit, or conscience, or soul. And so, too, all other nations are to be stricken down, and the peoples of the world are to be gathered into a protoplasmic, indistinguishable, unformed mass. All spiritual life is to be destroyed, all faith in an Omnipotent and Omniscient Being is to be eradicated. Humanity is to be thrust into one mould, and from it is to emerge beings without individualism or personality, without spirit or souls, but sodden, callous, materialistic forms of clay, devoid of patriotism or national spirit or the noble impulses which have promoted civilization. The picture is hideous. The realization of these wild and wicked plans would make of the world an inferno and of humanity a beastly, brutal brood, fit only for destruction and death.

The "dictatorship of the proletariat" has become a seductive phrase, and it is glibly mouthed in every corner of the world. These propagandists have attempted the overthrow of the Government of Portugal. They paralyzed the industrial and economic life of Argentina and produced a crisis that threatened the life of that splendid and progressive nation. Their poisonous efforts are directed against Italy, and they hope to plunge that great nation into revolution and anarchy. In France their agents are at work, hoping to prostrate that heroic people and bring to destruction a Republic that has suffered and endured and won eternal glory in the mighty struggle for the freedom of the world. Germany, trying to rise from the defeat which it so well deserved, was beset upon every side by these ravenous and cowardly elements. They were willing to bring additional suffering to their own country and to their own defeated and prostrate countrymen. Hungary, which was rising from the ashes of defeat and attempting to organize a government to meet the requirements of a civilized people, became the object of attack by these international anarchists. Bella Kulin was elevated to power and a Bolshevik government, with all its violence and oppression and beastliness and bloodshed, was superimposed upon the people. It was fortunate for Hungary and for Europe that the Roumanians entered Hungary and drove these assassins and despoilers from power.

And Great Britain has been the constant object of their assaults. The Bolsheviks of Russia have spent enormous sums in propaganda for the corruption of the working classes of the British Isles. Even that sturdy and splendid Commonwealth to the north of us was invaded by these destructive agencies, and Winnipeg and other parts of Canada suffered from their revolutionary activities.

In yesterday's paper I find the following statement pointing to some of the efforts of the Russian internationalists in the recent strike which disturbed the people of Great Britain:

RAIL STRIKE SETTLEMENT DISAPPOINTS BOLSHIEVSKI—RUSSIAN REDS HOPED BRITISH LABOR TROUBLE WOULD LEAD TO OPEN REVOLUTION.

[Correspondence of the Associated Press.]

LONDON, October 25.

The speedy and peaceful settlement of the British railway strike was a sore disappointment to Russian Bolsheviks. They hoped that it would develop into open revolution. That was shown by a wireless message that was transmitted from Petrograd "with compliments to the British railway men." It stated:

"We, the railway men of red Petrograd have heard the news of your general strike with joy and enthusiasm. You have broken the chains of civil peace. You have declared war on your Government. You must pass from a general strike to an armed rising. In order to improve your economic position you must first destroy the present imperialist order of things and substitute for it a government of workers and peasants. Do not allow the leaders of the old trade-union school to get at the head of the movement, as they will betray you at the last decisive moment. Victory is yours if you fight to the end."

"As to ourselves, we will fight until the whole world is covered with red flags. Down with the league of nations. Long live British soviet power."

Thousands of alien internationalists are infesting every part of our Nation. They are poisoning the minds of the people, attempting to spread discontent and to bring about a revolution. Scores of magazines and newspapers are boldly printed and circulated in which our form of government is denounced and a political revolution advocated. Direct action, force, violence, murder, spoliation, and all forms of terrorism are advocated by these enemies of law and order and of our Republic. They have penetrated the lines of union labor, and in many instances have controlled and now control branches of organized labor. Unfortunately, their wicked and deadly propaganda has influenced many workers and resulted in strikes which were groundless and which were intended to destroy the economic and po-

litical structure of our nation. These enemies of our country and of civilization do not seek amelioration of the condition of labor, but plan the overthrow of this Republic. It is they who teach internationalism, class consciousness, and who attempt to separate the so-called workingman and laborer from all other elements of society. They emphasize class distinctions, and seek to erect an impassable barrier between the workers and all other elements of our social organism.

A world organization is planned, but an organization which recognizes but one class, and which vests in the hands of labor all authority and power. It seeks the establishment of a super-nation, an all-powerful omnipotent force which controls all peoples in all lands. Political institutions are to perish and national lines are to be obliterated.

Mr. REED. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from Missouri?

Mr. KING. I do.

Mr. REED. The Senator used the term "establish a super-nation." He means superpower, does he not?

Mr. KING. Perhaps my expression was not accurate. Of course, the power or government which the internationalists would create would not, properly speaking, be a nation. However, they would seek to endow it with some of the functions of government, some of the powers and authority of a nation. They would have this world-wide power deal with the problems and concerns which nations deal with, only they would treat all nations and peoples as one nation and one people, with this international organization controlling all. In that sense I denominated it a "supernation."

Mr. REED. I think, myself, that it would be an anarchist organization.

Mr. KING. Perhaps the Senator is right. Of course, it could not long endure, if it were permitted to be formed. It would break into pieces because of its own weakness and inherent repulsions.

Mr. President, this Nation can best serve the world if it maintains its ideals and its national spirit and form. We have been preaching of late the right of self-determination, and have urged a recognition of racial and national aspirations. It is somewhat paradoxical that with these demands, apparently so universally recognized there should be projected a scheme, contained in Part XIII of the treaty, which tends to the extinguishment of national lines and the destruction of national aspirations and racial ideals. We have rejoiced in the spread of democracy. We have felt that the cause of liberty was being advanced with the birth of republics, the territorial limits of which took into account ethnographical and geographical considerations. It has been a source of pleasure to see the Canadian people developing a strong national spirit, and we have rejoiced in the spirit of independence exhibited by the great State of Australia. This Republic has sympathized, particularly since the days of Clay and Webster, with the national aspirations of Greece and of Hungary, and the peace treaty has sought to afford adequate protection to new republics formed in part out of the Central Empires, and the territorial limits of which were fixed, so far as humanly possible, with respect to the racial and ethnic conditions of the people. Notwithstanding this feature of the treaty and its evident design to recognize the national spirit and to protect the States within the league, a force is created which opposes national integrity. With an obligation provided by article 10 of the covenant to preserve and respect the territorial integrity and political independence of all members of the league, an instrumentality is to be set up and a force and spirit created which must occasion the most serious concern to all who love liberty and seek the preservation of their governments. There is nothing inconsistent in the advocacy of a strong spirit of nationalism and a concert of nations for the prevention of war.

The many admirable features in the covenant of the league providing for arbitration and conciliation, for the examination of controversies between nations, for the reduction of arms, for the punishment of nations that unsheath the sword because of lust for conquest or prompted by mad ambition to subjugate other nations, are entirely compatible with a strong national spirit and vigorous but friendly rivalry in the political, industrial, and intellectual fields occupied by the nations of the world. As stated, the terms of the treaty creating the league seem to develop nationalism and to protect nationalism and the integrity of nations, the strong as well as the small and the weak; but Part XIII destroys that which the covenant builds. There must be no international colloidal mass. This hour demands a vigorous American spirit, an indestructible national spirit, and a genuine, sincere patriotism which calls for supreme sacrifices for the country's weal.

The internationalism which inspired Part XIII is antagonistic to that national spirit, that patriotic fervor which led this Nation, as well as other nations, through the shadows and darkness of the mighty conflict. The American people have met their domestic problems with courage and success. This Republic survived a great civil war and by devotion to the principles of liberty upon which it is founded it has become the standard bearer among all the nations of the world. It has dealt with national and international questions as successfully as it has met domestic and internal problems. It will deal in the future with all domestic questions. The American people know better than other people their internal concerns and needs and can provide whatever remedies any situation may require, and deal with its domestic problems, intricate or simple, far better than any international organization that the wit of man can devise.

Mr. WADSWORTH. Mr. President, I merely have a request to make which will take but a moment.

There has just returned to the United States an exceedingly important American mission which spent something more than a month in traveling through Asia Minor, and particularly through the much-discussed Armenian country. The mission was headed by Maj. Gen. James G. Harbord, whose name is well known, of course, to the Senate and to the country; and it may be said that he was accompanied upon his trip of investigation by some exceedingly able officers selected for the purpose. My information is that the report of the so-called Harbord Commission has been made and delivered, I think, to the State Department.

I have prepared a very short resolution, reading as follows:

*Resolved*, That the President be, and he is hereby, requested to send to the Senate, if not incompatible with the public interest, a copy of the report on Near Eastern conditions made by the mission headed by Maj. Gen. James G. Harbord and known as the "Harbord mission."

I am sure that if it is possible for the President to send this it will prove to be of tremendous interest to the Senate, especially while it has the treaty under consideration.

I therefore ask unanimous consent for the immediate consideration of the resolution which I present.

The PRESIDENT pro tempore. Is there objection.

Mr. HITCHCOCK. There is no objection if it involves no debate.

The resolution (S. Res. 233) was read, considered by unanimous consent, and agreed to, as follows:

*Resolved*, That the President be, and he is hereby, requested to send to the Senate, if not incompatible with the public interest, a copy of the report on Near Eastern conditions made by the mission headed by Maj. Gen. James G. Harbord and known as the "Harbord mission."

Mr. McCORMICK. Mr. President, as I sat listening to the nationalist anthem of the Senator from Utah [Mr. KING] I felt that I had heard Saul singing among the prophets. The voice was the voice of Utah but the philosophy that of Idaho across the border. If my eyes had not undeceived me, my ears would have told me that it was not the junior Senator from Utah but the senior Senator from Idaho who was addressing the Senate upon the perils inherent in this covenant.

But, no; it was the Senator from Utah who, in contradiction of the chief proponent of this international panacea for the ills of mankind, argued, as he might have in a greater cause, with candor and directness. The reservation which he has presented has the incomparable virtue of being plain in what it purposes to do and of doing without equivocation that which it purposes. If the Senator from North Dakota [Mr. McCUMBER] will permit me to say so, his reservation lacks either in efficiency or in candor.

I have risen to speak these few moments only that I might join my voice to that of the Senator from Utah [Mr. KING] and the Senator from Colorado [Mr. THOMAS] in support of a reservation which will guard not only the interests of the employer of labor in America and of labor in America but the American farmer, whose interest, more than that of any other American, is threatened by an international legislature in which he alone will not be represented, an international assembly where he alone will have no voice.

Mr. JOHNSON of California. Mr. President, I am in favor of the substitute which has been offered by the Senator from Utah [Mr. KING]. I am in favor of that substitute because it does the job. I am sick and tired of conscience-saving, peculiarly worded reservations which have been adopted here, although I do not say that of the particular reservation of which this is the substitute at all. But I am weary of the indirection, which does not do the job but soothes perturbed and fearful and timid spirits.

Mr. President, I want no international banker control in this country. I want no international labor control in this country. I want no international imperialistic control in this country.



I want to preserve the promise of American life, preserve it in its pristine purity, because of all that it has done in the past and all of its promise for the future. I want no international control of America. I want to be just American again.

Mr. STERLING. Mr. President, I sympathize very much with what has been said by the Senator from Utah [Mr. KING] in regard to the dangers of internationalism and the Industrial Workers of the World, and especially foreign industrial workers, as the source of internationalism. Of course, we can not subscribe to Part XIII as it is; and if the Senator from Utah presented the only alternative, I should support the substitute offered by him. But, Mr. President, the substitute of the Senator from Utah is drastic. It reserves Part XIII from the act of ratification, and, according to the reservation—

The United States declines to participate in any way in the said general conference or to participate in the election of the governing body of the international labor office constituted by said articles, and declines in any way to contribute or be bound to contribute to the expenditures of said general conference or international labor office.

Mr. President, the effect of the provisions of the substitute offered by the Senator from Utah is to close the doors against our participation in any international labor conference and forever to shut us out from any part in such conference.

There is another alternative, however. I do not believe that we should put ourselves in a position to be forever shut out of international labor conferences under the league of nations. And why? Because, Mr. President, it may be for the interest of American labor itself that on occasion we should participate in an international labor conference. Our counsel and advice, or the counsel and advice of our representatives at such a conference, may be of benefit not only to American labor but to labor throughout the world.

It may be doubtful, Mr. President, that such will be the case, and I grant, for the sake of the argument, that it may be. But granting that it is doubtful, we should not close the doors against the opportunity which America may have to benefit American labor and the cause of labor generally throughout the world.

The other alternative is the substitute offered by the Senator from North Dakota [Mr. McCUMBER], which leaves it to the judgment of Congress to determine whether or not we shall on any occasion participate in the deliberations of the international labor conference. I believe we can trust Congress. I believe Congress, governed by the exigencies of the situation or of the case two years hence, or four years hence, or at any time when there is to be a meeting of the international labor conference, can determine whether or not America should participate in that conference.

So while, as I said, I am in sympathy with the general propositions laid down by the Senator from Utah, and in the dread we have of international labor influences, yet I do not think we can quite afford to say that we will not participate in any international labor conference. We can not afford to say it because American labor, although we are not represented, may be affected by the deliberations of that conference, and I think we ought to have an opportunity to be there and to be heard if the case should seem to invite it or require it.

Mr. PENROSE. Mr. President, I believe that American labor, if an opportunity were afforded to look into this provision of the document, would protest against it being retained in the treaty. I have had visits from several potential heads of branches of the American Federation of Labor, and they have represented to me that they were greatly alarmed at many of the provisions in this part of the treaty, and were time afforded and opportunity permitted doubtless there would be an overwhelming protest addressed to Congress against the retention of any trace of this provision.

I think both the Senator from Utah [Mr. KING] and the Senator from North Dakota [Mr. McCUMBER] are moving in the right direction, but neither of them goes quite far enough. American labor, which is superior to all other labor in the world and better paid, fails, as far as I have discovered from having talked with their leaders, to see any advantage that can come to American labor by any such scheme as this, and I regret very much that fuller opportunity has not been given to the American Federation of Labor to investigate and have an opportunity to be heard.

A kind of a partial indorsement was given by the labor people at a convention at Atlantic City, but since then, as in the case of many other indorsements, fuller opportunity has been given to investigate and to reflect, and I know several unions in the general federation who view with great alarm the operation of this provision, and I can not take the views of the Senator from South Dakota [Mr. STERLING] as indicating or reflecting the views of American labor or as holding forth any

promise of advantage to American labor, as they view it, although he seems to view it otherwise.

Mr. LA FOLLETTE. Mr. President, a few days ago I called the attention of the Senate to the territorial plunder of the Allies other than Great Britain which we engage to defend under the terms of the pending treaty. It was my purpose to bring to the attention of the Senate at this time Great Britain's share of the spoils of war, showing her territorial acquisitions, resulting in the control of trade routes, natural resources, and the domination of the commercial and trade centers of the world.

But, Mr. President, the limitations of debate imposed by the cloture rule make it impossible for me to present to the Senate the actual distribution of territory under the treaty which we are called upon to ratify, together with the protectorates, mandates, and other arrangements effected while we have been debating the true meaning of the league covenant.

Yesterday considerable time was spent in the Senate in discussing the disposition of the German colonies, with an entire and complete disregard of the fact that since this treaty was made and submitted by the President to the Senate, the German colonies have been disposed of by mandates, which Great Britain, through her control of the council and the assembly, will be able to perpetuate.

But, Mr. President, within the time limited for discussion here, I can not go into that matter fully.

Mr. GRONNA. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from North Dakota?

Mr. LA FOLLETTE. I yield for a question only.

Mr. GRONNA. I had hoped that the Senator from Wisconsin would go into the phase of the subject to which he has referred. I listened to him very attentively the other day and with a great deal of interest and profit. I heard what he had to say with reference to the gains of France, Italy, Greece, and Roumania, and I was in hopes that he would go into a discussion of the territorial and commercial advantages secured by Great Britain as a result of the war. Will the Senator not be kind enough to do that?

Mr. LA FOLLETTE. Mr. President, within the limits of the time permitted under the cloture rule, I can not do that in my own time. I had prepared to do that, but I must decline for the reason that in a choice between following out the distribution of territory and a discussion of the disastrous results—as I regard them—of giving to Great Britain control of the trade routes and of the natural resources of the world, I choose to limit my discussion to the latter and to omit the exposition of the very proposition which the Senator asks me now to discuss. I am compelled to do that under the cloture rule.

Mr. GRONNA. Mr. President, will the Senator yield to me to be recognized in my own time for the purpose of asking him a question that he may answer in my time?

Mr. LA FOLLETTE. If I may be recognized to continue my discussion.

The PRESIDENT pro tempore. If the Senator from Wisconsin yields the floor, the Senator from North Dakota will be recognized.

Mr. GRONNA. Am I recognized?

The PRESIDENT pro tempore. The Senator from North Dakota is recognized.

Mr. GRONNA. Mr. President, I think all of us are interested in knowing the facts with reference to the disposition of territory. We have heard stated in specific terms the reasons which impelled the Allies to enter this great war. In every instance, so far as I know, and I believe that I heard all the speeches delivered in this chamber, it was said by the representatives of the Allies that their entry into the war was made for one purpose only, that of freeing all the peoples of the earth from the military autocracy of Germany.

Before we finally dispose of a measure of such great importance as this treaty, I believe, sir, that we ought to know the facts, and I believe it is due the Allies that we should know what disposition has been made of the territory. The Senator from Wisconsin has just stated that he has given this very question constant study and thought, and I wish to ask the Senator to give us this information and to give it in my time.

Mr. LA FOLLETTE. If I may be permitted to do so without encroaching upon my own time, I should be glad to answer the question of the Senator from North Dakota.

The PRESIDENT pro tempore. The Chair is somewhat embarrassed by the fact that during the major part of the debate I assume the permanent occupant of the chair will preside; but for the present the Chair is of the opinion that there may be a

reasonable compliance with the suggestion of the Senator from North Dakota, and that the Senator from Wisconsin may respond to any question put to him by the Senator from North Dakota in the time of the Senator from North Dakota.

Mr. LA FOLLETTE. I am frank to say that I submitted that question to the Vice President. I desired to know whether I could lay the facts before the Senate of the United States. The Vice President said to me that if I was interrupted by a question, the answer to which I could not make within my own time, and I yielded the floor, which was taken by the Senator asking the question, then I might proceed to answer the question in his time.

The Senator from North Dakota propounds this question to me and I shall be glad to answer it in his time if the ruling of the Chair permits; otherwise not.

The PRESIDENT pro tempore. The Chair has already ruled.

Mr. LA FOLLETTE. Then I proceed in his time to answer the question.

Mr. GRONNA. I very gladly yield to the Senator to answer the question.

Mr. LA FOLLETTE. Mr. President, a few days ago I called the attention of the Senate to the territorial spoils of the Allies, other than Great Britain, which we engage to defend under the terms of the pending treaty. These territorial changes were principally upon the continent of Europe, but by this treaty our guaranties are to go beyond Europe. They are to extend to Asia, to Asia Minor, and to Africa. They are to extend into every corner of the earth where money can be made by exploiting weaker peoples and monopolizing the resources of their country.

With a view to portraying graphically the changes involved in this world settlement growing out of the war, I have caused to be prepared maps of Asia and Africa, including Asia Minor, and those are now before the Senate. The territory which formed a part of the British Empire before the war is colored red. The territory which falls to Great Britain as a result of the war is colored red with a black border.

It is at once obvious that with the exception of limited areas in Asia Minor which are divided between France and Italy and Greece, and excepting likewise the German islands in the northern Pacific, and Shantung, which go to Japan, all other territory outside of Europe which changes hands as a result of the war is acquired by Great Britain.

The Senate is urged to concur in this treaty and bind the American people by the most solemn obligation to respect and preserve the territorial integrity of Great Britain. It is my purpose therefore to present to the Senate and to the country, in so far as my limited time under the "gag" rule will permit the extent and character of Britain's share of the spoils under this treaty, the people bartered and chattered, the menacing political problems that go with them, and the far-reaching economic effect of this vast territorial transfer to Great Britain upon her ultimate control of the trade routes and the commerce of the world, to all of which we are asked not only to consent, but also to guarantee and to defend.

#### BRITISH SPOILS IN AFRICA.

I direct the attention of the Senate first to the map of Africa. Before the war Great Britain was the predominant power in Africa. Her colonies, exclusive of Egypt and the Sudan, comprised an area two-thirds as large as the United States, of about 2,000,000 square miles, with a population of 30,000,000 of people.

Germany was Great Britain's principal competitor in Africa. Her colonies were in the aggregate about one-half as large as the British territory and about one-third as populous. In spite of her overwhelming predominance Great Britain's position in Africa was by no means satisfactory to British imperialists. German East Africa, if Senators will note the map, separated the British colonies in the east. German Southwest Africa cut off the Union of South Africa from the Atlantic Coast. The British colonies in the west were separated by Togo and Kamerun.

The status of British control in Egypt was likewise unsatisfactory to the ambitious men who dictated the policy of the British foreign office.

Beginning with the occupation of Egypt in 1882 Gladstone, Salisbury, and succeeding prime ministers gave unqualified pledges to Egypt, to the English people, and to the world that British troops would be withdrawn as soon as order was restored, that the "territorial integrity and existing political independence" of Egypt would be respected, and that under no circumstances would a protectorate be established over the country.

That is the pledge that England made through Gladstone to the Egyptian people and to the world; and yet the majority of

the Senate yesterday voted in violation of that pledge to extend the protectorate of Great Britain over Egypt against the protest of 13,000,000 people.

Gladstone made the position of Great Britain clear on August 9, 1883, when he said:

If one pledge can be more solemn and sacred than another, special sacredness in this case binds us to withdraw the British troops from Egypt.

Gladstone's promise was many times repeated, and Egypt was recognized down to the beginning of the war as an independent country under the suzerainty of Turkey, and the British occupation was understood to be temporary.

On December 18, 1914, four months after the outbreak of the war, Great Britain suddenly deposed the Khedive, appointed and established his successor on the throne, and announced that "the suzerainty of Turkey over Egypt is terminated," and "Egypt will henceforth constitute a British protectorate."

A wave of protest swept Egypt at this announcement, but the British foreign office was prepared for the emergency. A personal letter was sent by King George—now follow this step by step—to the native government, giving assurances that Great Britain would lend aid to "overcome all influences which are seeking to destroy the independence of Egypt."

Senators, is there anything left in kingly pledges? Are they also to be treated as "scraps of paper" and is the United States Senate to indorse and ratify their violation? You did it yesterday. Will you do it when the roll call comes after this document passes into the Senate for final ratification?

But, taking King George at his word, and relying also on other assurances, Egypt submitted to the protectorate, believing it was a temporary war measure. And, Mr. President, why should they not have believed it? They had the word of all the prime ministers from Gladstone down, and now came the royal pledge of George V, the present imperial head of the British Government.

Trusting that pledge, Egypt, during the four years of war, enlisted more than 1,000,000 men to fight in the British Army for the allied cause.

President Wilson's announcement of America's war aims in 1918 gave further assurance to the Egyptians, who saw in the acceptance by the Allies of the principle of self-determination, the restoration of Egypt's independence.

Mr. President, I shall not review here the sordid story of Egypt's betrayal at the peace conference.

How four men chosen by the Egyptian people to represent them at Paris were seized by the British authorities without warning, deported to Malta, and held in a military prison; how more than 1,000 unarmed natives were brutally shot down and killed by British machine guns on the streets of Alexandria and Cairo; how President Wilson refused to give the Egyptian envoys a hearing after they finally reached Paris, are facts too well known to all of us to require recital.

It is enough to say that the treaty of Versailles recognizes a permanent British protectorate over this unfortunate country. It makes Egypt, with her 13,000,000 inhabitants, all of one race, speaking the same language, and occupying 350,000 square miles of fertile territory, as much a part of the British Empire as India or her colonies in Africa. It gives to Great Britain, in addition, the immense area known as the Anglo-Egyptian Sudan, which is one-third as large as the United States. She acquires this domain, Mr. President, against the will of every one of its inhabitants, in violation of British pledges to Egypt and to the world, and in wanton disregard of the 14 points sponsored by the United States and specifically, accepted and agreed to by Great Britain.

Mr. FRANCE (to Mr. LA FOLLETTE). Does the Senator desire that I shall ask for a quorum?

Mr. LA FOLLETTE. No; I prefer not to interrupt my discussion. I merely want time. I am not speaking to the Senate; I am speaking to the country.

Mr. HARRISON. Mr. President, may I ask the Senator a question?

Mr. LA FOLLETTE. Yes.

Mr. HARRISON. Is the Senator still answering the Senator from North Dakota?

Mr. LA FOLLETTE. I am.

Mr. HARRISON. And in the time of the Senator from North Dakota?

Mr. LA FOLLETTE. I am; yes.

Mr. HARRISON. Mr. President, I make the point of order that that is not permissible under the cloture rule that was adopted.

Mr. LA FOLLETTE. If that question is to be raised, this is the time to raise it.



Mr. HARRISON. I understand the Senator prefers that it be raised now rather than to let him utilize an hour's time of the Senator from North Dakota?

Mr. LA FOLLETTE. It is better to have it settled now.

Mr. HARRISON. The reason I raise the point, Mr. President, is that under the rule each Senator is allowed not more than one hour of time for discussion. The Senator from Wisconsin is now utilizing a part of the time of the Senator from North Dakota. He might utilize in that way the hour of time allowed to the Senator from North Dakota, and then his own hour in addition, which would give him two hours, and if he

could make arrangement with some other Senator he might occupy additional time.

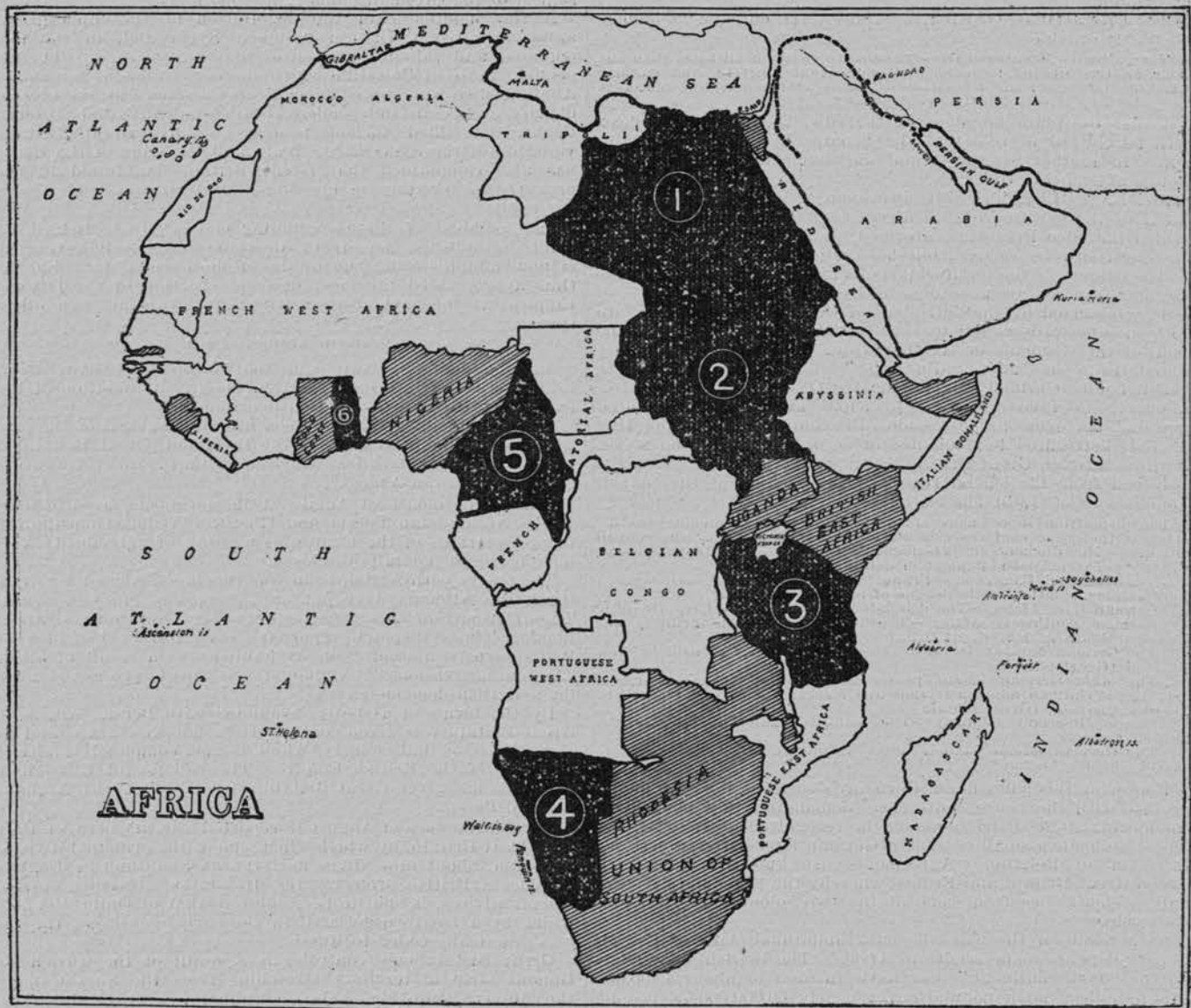
Mr. JONES of Washington. I rise to a point of order. Under the rule the point of order is not debatable.

Mr. LA FOLLETTE. I hope this is not coming out of my time.

Mr. JONES of Washington. The point of order is not debatable.

Mr. HARRISON. I am stating the point of order, which, I think, under the rules, I am allowed to do.

Mr. JONES of Washington. The Senator has already stated his point of order and is now arguing it.



BRITISH TERRITORY IN AFRICA.

Shaded portion—Territory held by Great Britain before the war. Solid black portion—Territory acquired by Great Britain as a result of the war.

① Egypt—Protectorate declared December 18, 1914. ② Sudan—Former dependency of Egypt. ③ German East Africa—Mandate under Great Britain. ④ German Southwest Africa—Mandate under Great Britain. ⑤ Kamerun, and ⑥ Togo—Mandates under Great Britain, with minor cessions to France.

NOTE: Great Britain now has a strip of territory stretching from Cairo to Cape Horn.

All areas represented by solid black are occupied at the present time by British troops and are being administered as parts of the Empire. The Bagdad Railway (see map), connecting the Suez Canal with the Persian Gulf, is held by Great Britain.

Mr. HARRISON. I ask for a ruling. I make the point of order that a Senator can not utilize the time of another Senator in answering in this way.

Mr. LA FOLLETTE. I am answering a question of another Senator which he states he is willing shall be answered in his time. That is the real proposition, is it not?

Mr. HARRISON. That is it; but it is apparent to the whole Senate—

Mr. LA FOLLETTE. Yes, I am not disguising anything here. Mr. HARRISON. That the Senator is reading from a type-written manuscript.

Mr. GRONNA. I rise to a question of order.

The PRESIDING OFFICER (Mr. SUTHERLAND in the chair). The Senator will state it.

Mr. GRONNA. The Senator from Mississippi, of course, has a perfect right to make the point of order, but he has no right to argue it.

The PRESIDING OFFICER (Mr. SUTHERLAND being in the chair). The Chair will state to the Senator from Mississippi that the preceding occupant of the chair declined to pass on the point, preferring to let the Vice President himself do so, as the Senator from Wisconsin had stated

that he had a ruling from the Vice President upon the subject. The Vice President now being out of the chair, the present occupant of the chair, if it is proper for him to make a ruling, will proceed to do so. The Chair would like to ask the Senator from Wisconsin at what time the Vice President ruled upon this question?

Mr. LA FOLLETTE. I did not state that the Vice President had ruled upon it. I talked with the Vice President in his place in order to ascertain whether, if interrupted, as I have been interrupted, it would be permissible under the cloture rule to discuss the matter in the time of a Senator interrupting me and questioning me.

The PRESIDING OFFICER. Rule XXII, on page 26, is very clear. It provides:

Thereafter no Senator shall be entitled to speak in all more than one hour on the pending measure, the amendments thereto, and motions affecting the same, and it shall be the duty of the presiding officer to keep the time of each Senator who speaks.

Under the plain language of the rule, the Presiding Officer will be obliged to rule that the Senator has not the right to speak in another Senator's time and that a Senator's time can not be extended in that way.

Mr. LA FOLLETTE. Mr. President, I bow to this enforcement of the cloture rule, in direct contradiction of the ruling which the Vice President informed me that he would make if the question were raised while he was presiding.

The balance of the territorial spoils in Africa, consisting of the German colonies, are also to go to Great Britain.

It is asserted by the defenders of this treaty that there are to be no annexations, but that all territories formerly under the rule of the Germans or the Turks are to be distributed under mandates to the "advanced nations."

But before Germany signed the treaty on June 28, 1919, renouncing in favor of the "principal allied and associated powers" her overseas possessions, the council of three met May 6, and distributed her colonies in accordance with the secret treaties between Great Britain, France, and Japan.

I read from the official report of the meeting of the council (published Oct. 18 in The Nation):

The disposition to be made of the former German colonies was decided at the peace conference in Paris on May 6, 1919, by the council of three—Mr. Clemenceau, President Wilson, and Mr. Lloyd George.

The official statement in detail is as follows:

"Togoland and Cameroon.—France and Great Britain shall make a joint recommendation to the league of nations as to their fate.

"German East Africa.—The mandate shall be held by Great Britain.

"German Southwest Africa.—The mandate shall be held by the Union of South Africa (Great Britain).

"The German Samoan Islands.—The mandate shall be held by New Zealand (Great Britain).

"The other German Pacific possessions south of the Equator, excluding the German Samoan Islands and Nauru.—The mandate shall be held by Australia (Great Britain).

"Nauru (Pleasant Islands).—The mandate shall be given to the British Empire.

"The German Pacific Islands north of the Equator.—The mandate shall be held by Japan."

Following this partition of Germany's colonies, Belgium filed a protest with the peace conference, demanding that her aid in conquering these districts should be recognized. Great Britain has since made a small cession of German East African territory in favor of Belgium. Agreements are known to exist between Great Britain and France whereby the latter is to receive only a small slice from each of the two colonies of Togo and Kamerun.

As a result of the war, the most ambitious plans of British imperialists are made secure in Africa. The British possessions on the "dark continent" now have an area of about 4,400,000 square miles and a population of nearly 60,000,000 of people. This area is about the size of Canada and Mexico combined and is capable of supporting as large a population as our own country.

Great Britain now has a continuous stretch of territory, linking the extremities of the continent, and the imperialist dream of a British railroad from the "Cape to Cairo" is realized as a result of this war, waged to protect the rights of the weak against the strong.

This is the vast Empire, Mr. President, which the United States is about to pledge her aid in maintaining on the continent of Africa, for the benefit of Great Britain.

#### BRITISH SPOILS IN TURKEY.

The dismemberment of the Ottoman Empire constitutes one of the most lurid chapters in the history of secret diplomacy and international double-dealing, and it is but fair to say that in this drama English diplomats have played the leading rôle. The partition of Turkey has followed the lines originally laid down in the secret treaties.

By the Treaty of London, Italy was bribed to desert her allies and join the Entente by the promise of Adalia, on the Mediter-

anean. Greece was promised Trebizond, on the Black Sea, and Smyrna, one of the chief harbors on the Mediterranean. Russia was to be given Constantinople and Armenia as her share of the spoils and the balance of the territory, after 20,000,000 Turks had been limited to the district of Anatolia, with an area about the size of the State of Nebraska, was to be divided between France and Great Britain.

Following the Russian revolution, Great Britain and France negotiated a new treaty, the secret Sykes-Picot agreement of 1916. By its terms Great Britain recognized France's claims to the Syrian coast while Great Britain was to take over the richest of the Ottoman lands in Mesopotamia.

A few months after the negotiation of this underground agreement, Great Britain occupied Syria and, in the most populous and valuable portion of that region, set up the independent State of Palestine which she now claims as a mandate. Another slice was carved from France's sphere by the creation of Hedjaz as an independent State, under British tutelage. France has filed formal protests against Great Britain's violation of the Sykes-Picot treaty and the King of the Hedjaz has also complained that Great Britain has failed to keep promises of territory to his State. But Britain holds fast to her spoils.

In the midst of these conflicting claims, Great Britain has firmly established herself in Mesopotamia and Palestine and is now administering the affairs of both countries. She has thus appropriated the most desirable portion of the Ottoman Empire, at the same time setting her rivals at each other's throats.

#### BRITISH SPOILS IN ASIA.

Mr. President, if it be thought that the spoils of Great Britain in Africa and Asia Minor, satiated the greedy ambition of English diplomats, that assumption is erroneous.

While the Senate has been debating the fragment of the peace settlement, submitted to it by the President, Great Britain has negotiated three treaties which add important links to the British Empire in Asia.

During the month of August, 1919, within a period of a few weeks, Afghanistan, Persia, and Tibet were reduced substantially to protectorates of the Empire as a result of agreements which have been but partially disclosed.

The treaty with Afghanistan was concluded August 8. By its terms the Afghans were put on "probation" for six months. The aftermath of this agreement was seen November 4, when a London Times dispatch reported "six infantry brigades" of British troops marching on Afghanistan as a result of alleged "Afghan aggressions." Afghanistan is thus in process of becoming a British dependency.

By the terms of a treaty concluded with Persia, August 15, Great Britain was given control of the finances, army, and foreign affairs of that country, which is now completely under the influence of the British Empire. The collapse of Russian imperialism has given Great Britain a free hand in both Afghanistan and Persia.

News dispatches of August 18 reported a treaty between China and Great Britain, by which Tibet, one of the principal divisions of China, about nine times as large as Shantung or England, becomes a British protectorate. Its status, according to semi-official advices, is said to be similar to that of Outer Mongolia, which by a treaty negotiated in the early months of the war, was practically ceded to Russia.

Great Britain now controls, as a result of the war, a continuous strip of territory stretching from the Suez Canal to the Malay Peninsula. She has filled in every gap in her empire in Asia. Palestine, Mesopotamia, Persia, Afghanistan, India, Tibet, and the Straits Settlements are the links in a chain of British-controlled States which cover the southern third of Asia.

In China, Great Britain holds, in addition to Tibet, exploiting privileges along the valley of the Yangtze-Kiang River, and controls the port of this great waterway, Shanghai, a city of 1,000,000 population. When Germany seized Kiaochow in Shantung, Great Britain seized Wei-hai-Wei, and she still holds that port, threatening Japan's position in Shantung. Great Britain likewise controls Hongkong.

Mr. President, to sum up British territorial gains from the war: Great Britain has added to her Empire, either by annexation or by protectorates and mandates, a territory of 3,972,000 square miles—larger than continental Europe—with a population of more than 51,725,000 people, 99 per cent of whom are natives.

Great Britain stands to-day the dominant power in Asia and Africa, and, in Canada, holds dominion over more territory along

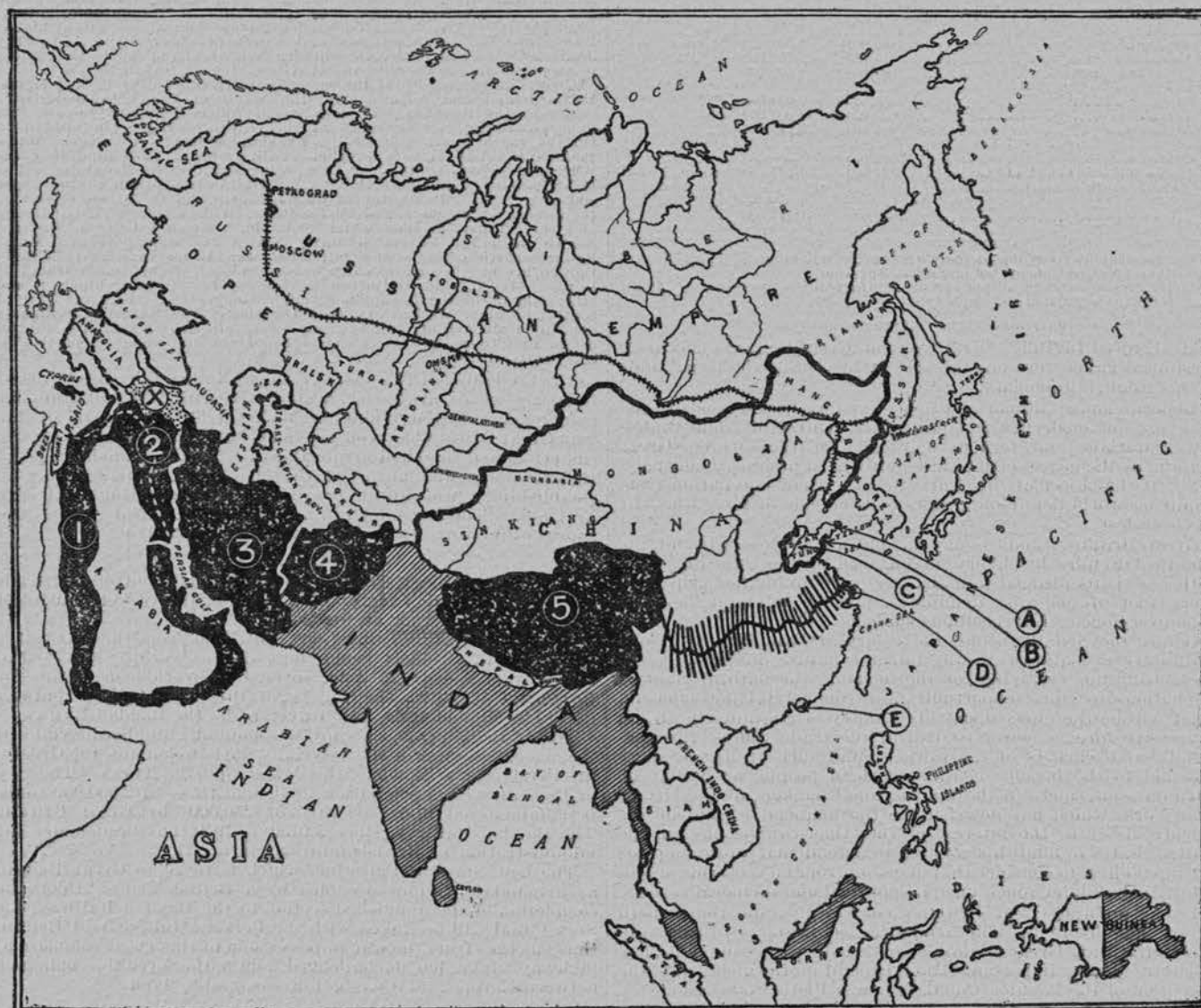


our northern boundary than is represented in the combined area of the United States and Alaska.

The aggregate area of the British Empire is one-fourth of the land surface of the globe, totaling 15,000,000 square miles, and

her population of 475,000,000 souls represents one-fourth of the total population of the world.

The Government of the British Empire is imposed upon 400,000,000 subject peoples, against their will, by 65,000,000



BRITISH TERRITORY IN ASIA.

Shaded portion—Territory held by Great Britain before the war. Solid black portion—Territory acquired by Great Britain as a result of the war.

① Hedjaz—set up as a State by Great Britain and under her control. ② Mesopotamia—Mandate under Great Britain. ③ Persia, ④ Afghanistan, and ⑤ Tibet, became British dependencies under treaties negotiated in August, 1919.

X Armenia—Urged by Great Britain as a mandate under the United States. Armenia is a buffer State protecting Mesopotamia and the Bagdad Railway (held by Great Britain) against attack by land.

A. Wei-hai-Wei—Port in Shantung seized by Great Britain from China when Germany took Kiaochow.

B. Kiao-chow—Port acquired by Japan, under treaty of Versailles, in accordance with secret agreements with Great Britain.

C. Shantung—Province of China, occupied by Japan under treaty of Versailles.

D. Shanghai—Chinese port through which Great Britain exploits valley of Yangtze-kiang River. (See map.)

E. Hongkong—Chinese port controlled by Great Britain.

NOTE: The heavy line north of Mongolia marks the boundary between China and Russia. The trans-Siberian railroad is indicated on the map.

people of the English-speaking race, over a territory nine times larger in extent than the Roman Empire at the height of its glory. It is the boundaries of this Empire which the United States, under the league of nations, will be obligated to defend against external aggression or internal disturbance which, in the opinion of the council, amounts even to a "threat of war" affecting the "peace of nations."

I ask leave to print in the Record certain data explanatory of the maps, and tables connected therewith, without taking the time of the Senate to read them, under the ruling of the chair.

The PRESIDING OFFICER. If there is no objection, it is so ordered.

The matter referred to is as follows:

British territorial gains.

	Area. in square miles.	Population. <sup>1</sup>	Control.
Africa:			
Kamerun.....	360,000	3,540,000	Mandate.
German Southwest Africa.....	322,000	150,000	Do.
German East Africa.....	384,000	7,650,000	Do.
Togo.....	33,000	1,000,000	Do.
Egypt.....	690,000	13,000,000	Protectorate.
Sudan.....	1,000,000	3,400,000	Do.

<sup>1</sup> The populations given include only the native inhabitants. The European population is negligible, being not more than 1 per cent.

## British territorial gains—Continued.

	Area in square miles.	Population. <sup>1</sup>	Control.
Ottoman Empire:			
Mesopotamia.....	140,000	2,000,000	Mandate.
Palestine.....	10,000	700,000	Do.
Syria (one-fourth).....	30,000	1,000,000	Do.
Asia:			
Tibet.....	460,000	2,000,000	(?).
Persia.....	600,000	10,000,000	(?).
Afghanistan.....	245,000	6,385,000	(?).
Islands:			
Cyprus.....	3,600	300,000	Annexed.
Kaiser Wilhelm Land and islands of Pacific south of Equator.	95,000	600,000	Annexed and mandates.
Total.....	3,972,000	51,725,000	

<sup>1</sup>The populations given include only the native inhabitants. The European population is negligible, being not more than 1 per cent.

<sup>2</sup>Tibet, Persia, and Afghanistan are substantially British protectorates as the result of treaties negotiated in August, 1919.

## BRITISH CONTROL OF TRADE ROUTES.

Mr. LA FOLLETTE. Mr. President, Great Britain's enormous territorial gains were not the sole prize won at the peace table by the English diplomats.

Modern empires do not rest upon territorial possessions alone. The bases of modern world power are control of trade routes, raw materials, and foreign markets. Of these three, Great Britain, by the peace settlement is left with a practical monopoly.

Sir, if the object of this war was to prevent one nation from acquiring world dominion, and to end the rule of force, the war has been lost.

Great Britain stands to-day in undisputed possession of the mightiest Empire in history, maintained by the right of might, with her rivals pledged to assist her in retaining her grip upon every foot of her vast dominions, and in enforcing her law upon every one of her rebellious subjects.

Before the Senate ratifies the treaty of Versailles, it is our plain duty to inquire carefully into the nature of the peace we are setting up. Waiving for the moment, the natural right of all nations to equal opportunity for commercial development, what will be the effect upon this country of guaranteeing to an aggressive foreign power control of the trade routes, raw materials, and markets of the world? Will such an arrangement rebound to the benefit of the American people, or will it be advantageous solely to the international bankers of the city of New York, which has now become the financial capital of the world? Is it to the interest of the American people for the United States to bind this country to defend that world empire?

I intend first to consider that question from an economic standpoint. I shall later touch upon its political and its moral aspects.

I take up first Great Britain's control of trade routes both by sea and by land. The acknowledged mistress of the seas before the war, Great Britain's control of ocean routes is now absolute. Every important strategic point on the globe, with the exception of the Panama Canal, is now a British possession.

Of course it is not possible for Senators across this Chamber to see the map which hangs upon the west side of the main entrance, but it shows the naval stations of Great Britain as they were at the time we entered the war. None of them has been surrendered. By the arrangements made at Paris by the peace conference others have been added. This map was prepared, in the form in which I present it to the Senate, by the War College. It shows that the United States can not ship goods anywhere overseas without the sufferance of Great Britain. It shows an utter and an absolute and a total command of all the trade routes of the world by Great Britain. I say that that map does not truly represent the present condition, because it does not show the naval bases that Great Britain has acquired as a result of the war, but it ought to be enough to put Senators upon their guard and upon their inquiry. It ought to be enough to deter Senators from concurring in this treaty.

Asia embraces about half of the human race and is consequently the richest market for foreign trade. Here Great Britain's control of trade routes is most marked.

I can not stop, within the limited time that is now imposed upon me under the ruling of the Senator who occupies the chair [Mr. SUTHERLAND] to read, and therefore I ask permission to print without reading, in connection with my remarks, the comments of Mr. Herbert Adams Gibbons and other data upon the economic results of the deliberations of the peace conference.

The PRESIDING OFFICER. If there is no objection, it is so ordered.

## The matter referred to is as follows:

It requires only a glance at the map to see that the British have succeeded in establishing themselves in places where they control the paths of the sea. Without the strongest navy in the world, their hold on southern Asia would be precarious. Mistress of the seas, Great Britain fears no rival. She commands: Europeans and Asiatics and Americans alike must obey. The commercial advantage of this thorough Asiatic extension of British eminent domain is incalculable. Lucky are the manufacturers and merchants born Britons—if they desire to trade any here. In southern Asia the handicap in their favor is greater than elsewhere. And that is saying a great deal!

Cyprus keeps guard over the eastern Mediterranean, Syria, and Egypt. Perim Island and Aden control the Strait of Bab-el-Mandeb at the outlet of the Red Sea. The islands of Ad-el-Kern and Sokatra, off Cape Guardafui, are sentinels at the entrance of the Gulf of Aden. On the southeastern side of the Arabian peninsula, the Kuria Muria Islands and Bay make a precious coaling station of a kind that the British were willing to fight to prevent France from obtaining. The Bahrain Islands dominate the Persian Gulf, with Koweit at the upper end of the gulf. Possession of the Laccadive and the Maldiv Islands, the Chagos Archipelago, and Ceylon makes India secure. The Andaman and the Nicobar Islands watch over the western exit from Malacca Strait, while the Federated Malay States and Singapore give Great Britain control of Malacca Strait. Sarawak, Brunei, and British North Borneo are on the strategically important side of the Dutch island of Borneo. British North Borneo is close to the Sulu Archipelago and other islands of the Philippine group. Hongkong is the great port of southern China, Wei-hai-wei, near the end of the Shantung peninsula opposite Port Arthur, stands ready to dispute with Japan the control of the exit to the sea of the most important and populous portion of the Chinese Empire.

Mr. LA FOLLETTE. Mr. President, in brief, by the terms of the peace we are asked to guarantee, Great Britain may train her guns upon every ton of shipping upon the high seas. Out of this war Great Britain has won the Island of Cyprus, controlling the eastern end of the Mediterranean Sea. She has transformed the Red Sea, a great highway to the east, into an English lake by establishing a protectorate over Egypt, and by setting up Hedjaz in Arabia. The Persian Gulf, as a result of the war, washes the shores of territory completely under British control.

## THE BAGDAD RAILWAY.

But, Mr. President, the extension of British control over trade routes by sea is less remarkable than her newly won control of the highways of trade on the land.

The most striking gain of Great Britain from the war is the control of the "oldest trade route of the world"—the "royal road" from Europe to Asia, coveted by world conquerors for thousands of years, the valleys of the Tigris and Euphrates Rivers in Mesopotamia, now traversed by the Bagdad Railway.

To-day British troops occupy Mesopotamia, amidst the ruins of the ancient empires of the Assyrians, the Babylonians, the Greeks, the Persians, the Romans, the Arabs, and the Turks. The city of Bagdad, with a population in ancient times of 2,000,000 souls, is administered to-day—a city of 250,000—by Great Britain. The Bagdad Railway, since January, 1919, has been under the administration of British military authorities.

The new State of Palestine, which is to go to Great Britain as a mandate, is now occupied by a British army. Upon the completion of the unfinished section of the Bagdad Railway, the Suez Canal will be linked with the Persian Gulf. Great Britain thus emerges from the war in possession of this great commercial highway, giving her unchallenged domination over the commerce between Europe and Asia, both by sea and by land.

## BRITISH NAVAL SUPREMACY.

Great Britain's control of the seas has been strengthened by another circumstance. The war has left Continental Europe without a great naval power. The German navy, which checked British supremacy, has been sunk. Russia's navy has been disorganized and crippled. Austria, with what was once a formidable naval force, is left by the Austrian treaty without an outlet to the sea. The net result of the war, so far as naval strength is concerned, is the elimination of all rivals of Great Britain. Even the combined navies of the United States and Japan would be greatly inferior to that of Great Britain.

What is true of naval strength is likewise true of the merchant marine. But I stop here for a moment to introduce the opinion of the greatest naval expert that the last generation produced as to the effect upon the commercial and industrial destiny of a people of the naval control of the seas.

Put any single nation in control of the seas, and I lay it down as a maxim that you have given to that nation the arbitrary power to control the commercial and industrial development of the world; and in support of that statement I offer the opinion of Admiral Mahan, universally accorded first position among the naval authorities of modern times. Listen to what he says in his great work on "Sea Power":

The world has long been accustomed to the idea of predominant naval power, coupling it with the name of Great Britain, and it has been noted that such power, when achieved, is commonly often associated with commercial and industrial predominance, the struggle for which is now in progress between Great Britain and Germany.





of coal and oil, both as yet untouched, and with rich deposits in nickel, zinc, lead, tin, copper, silver, and gold.

She had India, with 225,000,000 out of a total population of 315,000,000 engaged in agriculture, producing wheat, rice, tea for the English table, and wool, cotton, jute and other raw materials in huge quantities for the English factories.

She had Australia, with an area of 4,000,000 square miles, supporting only 5,000,000 people, importing to England great quantities of meat, wool, wheat, dairy products, copper, tin, lead, timber, and coal.

She had South Africa, with a monopoly on the diamond supply of the world, importing over \$30,000,000 in stones to England in 1918, and supplying wool, coal, hides, and skins.

Now, Mr. President, can it be argued that it is conducive to the peace of the world and of the general welfare of the nations for one power to extend its control over the raw materials of the earth? Is it true that Great Britain follows a benevolent policy of sharing her advantages with other countries?

Fortunately, some information is available on this point. In March, 1918, the Dominions Royal Commission, which had spent five years touring the British Empire, made its report to the British Government. It reminded the English people—

That the Empire had substantially a monopoly of the world's product of certain most valuable commodities of commerce.

And it gave this significant advice:

It is not difficult \* \* \* to imagine conditions even in times of peace, in which it might become desirable to use the possession of these assets as an instrument of commercial advantage. The practical monopoly of potash which Germany possesses, has enabled her to assert pressure on other countries in the past, and the controversy between Germany and the United States in 1911, may be mentioned as an example of the influence which the possession of a raw material monopoly gives in negotiations between two powers. The possession of assets such as the Canadian asbestos and nickel supplies could be used by the British Empire as a powerful means of economic defense.

The commission recommends that Canada supplant American capitalists in the manufacture of asbestos and nickel products, in both of which industries Canada holds a monopoly over the raw material. The commission commends the existing Canadian legislation which prohibits foreigners from obtaining title over petroleum lands in Manitoba, Saskatchewan, Alberta, and other Dominion Provinces. On page 183 of the report, the commission sums up its "main conclusions and recommendations" on this subject as follows:

We regard it as vital that the Empire's supplies of raw material and commodities essential to its safety and well-being should be, as far as possible, independent of outside control. As the first step toward ascertaining how such independence can be secured, we recommend that an immediate survey should be undertaken of the relation between Empire production and Empire requirements of these materials and commodities, such survey to be made by an imperial development board.

Mr. President, I have quoted at length from this important document because I anticipate the argument of those who favor the support by this country of Great Britain's imperial ambitions, and who would bind the United States to aid in maintaining the status quo of the Paris peace settlement. These gentlemen believe, so close are the natural ties between Great Britain and the United States, that the two nations will work hand in hand and that whatever gains accrue to the British Empire will be shared by the United States.

Ah, Mr. President, that hope finds no support in the frank recommendations of this commission. Suggestions that monopolies of raw material may be used as "instruments of commercial advantage;" that they are valuable in "negotiations between two powers;" warnings to Canada that she must eliminate "foreign control" of her nickel ores, and recommendations that stringent regulations against foreign investments in petroleum, coal, iron, wood pulp, and other natural resources be enacted in every part of the realm—are these the words upon which we are to base our hope for future favors?

The gentlemen overlook the fact that the United States is now Great Britain's principal competitor in commerce, manufactures, and finance. They forget that the British foreign office, acting without restraint from Parliament and often without the knowledge of that body as to the policies it pursues, is eternally vigilant for the protection and aggrandizement of British trade interests throughout the world.

If there were not more vital political and moral considerations at stake, our selfish interests should restrain us from guaranteeing another nation's claim to the natural wealth of the earth. Monopoly does not breed generosity or regard for the rights of others. Monopolies are acquired, maintained and exploited for one object, and that object is self-aggrandizement.

WHY AN AMERICAN MANDATE IN ARMENIA IS DESIRED.

If any man is in doubt as to what the United States may expect under the peace settlement, he has only to look beneath the surface of the proposed mandate in Armenia. The American

mission sent to Armenia has, it is true, reported against the acceptance of a mandate by this country. But Great Britain is determined to have us accept it, and I doubt not if we continue in our present course, in a few more months we shall find American soldiers in Armenia. It was only a few days ago that Lloyd-George, A. Bonar Law, and other leaders in the House of Commons expressed great impatience with this country for not immediately taking over the government of Armenia.

A competent American authority, Frank H. Simonds (Review of Reviews, September, 1919, p. 206), declares that the occupation of Armenia would—

demand an army which at the outset could hardly be estimated at under 100,000, and might have to be double that size. We should find ourselves in the East forever in the presence of a Russian resumption of that press southward which was only interrupted by the revolution. Between the Cilician Gates and the Upper Euphrates we should stand in an area where British and French claims conflict, while about Constantinople we should find ourselves face to face with Russian, Bulgarian, and Hellenic aspirations.

Senators and citizens who favor the acceptance of a mandate in Armenia might devote a profitable hour to a study of the map. Armenia is the buffer between Mesopotamia and Caucasasia. It obstructs the only possible avenue of attack by land against the Bagdad Railway. With an American army of 100,000 men in Armenia, the power which controls the Bagdad Railway might breathe easily and maintain her dominion of this great artery of trade for decades to come.

An English writer, a few months ago (H. Charles Woods, Contemporary Review, June, 1919) reflected the hope of our friends across the water when he suggested that—

if America could be persuaded to undertake this responsibility—

the mandate should include, "not merely just such an area as Europe might consider a disencumbrance," but the little Republic of Arrarat, bordering on Russia and Persia, and a port on the Mediterranean Sea as well.

It is significant, Mr. President, that the richest territories disposed of in the peace settlement lie in the neighborhood of Armenia, and that all of them have fallen to Great Britain.

By the withdrawal of Russian influence from Persia, Great Britain acquires full control over the Persian oil lands, practically untouched and among the most valuable in the world. British troops now occupy the Caucasian region, west of the Black Sea, near Baku, also rich in oil. While the oil reserves of the United States are fast being exhausted, Great Britain now has within her grasp the great petroleum fields of the globe.

South of Armenia lies Mesopotamia, described by Maj. T. Alexander Powell, United States Army, former American vice-consul general in Syria (Review of Reviews, April, 1919, p. 407), as—

The richest of these Asian lands. \* \* \* This Mesopotamian region has almost unlimited agricultural possibilities. Though it is to-day the most sparsely populated part of the Turkish Empire, it was in ancient times the most densely populated part of the world. \* \* \* According to the painstaking and conscientious investigation of Sir William Willcocks, the irrigable area of Mesopotamia is from two to three times as large as that of Egypt. Cotton, sugar cane, corn, cereals, opium, and tobacco will flourish on the banks of the Euphrates as they do in the valley of the Nile.

The writer states that Mesopotamia is capable of supporting 30,000,000 people, and suggests that this land will be used by Great Britain as an outlet for overcrowded India.

The new British dependencies in Africa are also rich in natural resources. Togo produces cotton, oil, rubber; Kamerun produces rubber, ivory, cocoa, palm oil, hard woods; Southwest Africa, cattle, sheep, and rich resources of iron, copper, tin, gold, and diamonds; East Africa, rubber, ivory, coffee, coal, iron, lead, copper.

#### BRITISH TARIFF POLICY.

I have shown, Mr. President, how Great Britain controls the raw materials of the world. I have sketched roughly her control of the trade routes by land and by sea. That she controls the markets of the world as the result of her vast political empire can hardly be questioned. I shall not take time to prove the obvious fact of her supremacy in Africa, Asia Minor, and Asia where the most profitable markets are to be found.

Now, Mr. President, if we are to guarantee to another nation a world monopoly of trade routes, raw material, and markets, the responsibility is upon the Senate to take into account the obvious results of that policy.

I recommend to Senators who have shown themselves zealous in the protection of American business interests a study of the tariff policy of Great Britain.

Since 1897 the system of "preferential tariffs" has been extended throughout the British Empire. To quote a British authority (J. Watson Grice, "The Resources of the Empire," p. 52):

In large measure the maintenance of the trade of the mother country with the dominions, and the steady expansion in the trading relations of each of the dominions with other portions of the Empire,



reflected in the adjoining tables, have been assisted and encouraged by the preferential treatment which has been accorded by each of the dominions to certain products and manufactures of various parts of the British Empire.

The same authority notes that, under the revision of the Canadian customs tariff of 1907, with the enactment of a "preferential tariff," a "general tariff," and an "intermediate tariff," American goods "pay the general tariff rates on importation into the Dominion, and that from April, 1903, to February, 1919, German goods were subject to a surtax of one-third of the duties under the general tariff."

Since the close of the war, plans have been laid to revise the preferential tariffs of the British Empire and to heighten the "tariff wall" surrounding the colonies.

Before the war Germany was England's rival for foreign trade. The preferential tariffs of the British Empire were levied with that fact well in mind.

President Wilson, speaking at St. Louis, Mo., September 5, 1919, declared that the war itself was the result of the fierce competition between these two nations. He said on that occasion:

Why, my fellow citizens, is there any man here or any woman, let me say is there any child here, who does not know that the seed of war in the modern world is industrial and commercial rivalry? The real reason that the war we have just finished took place was that Germany was afraid her commercial rivals were going to get the better of her, and the reason why some nations went into the war against Germany was that they thought Germany would get the commercial advantage of them. The seed of the jealousy, the seed of the deep-seated hatred was hot, successful commercial and industrial rivalry. \* \* \* This war, in its inception was a commercial and industrial war. It was not a political war.

Now, Mr. President, as a result of the war, the United States has succeeded Germany as England's commercial rival. She will inherit, as time passes, the same jealousy, the same "deep-seated hatred," that inevitably results, as Mr. Wilson says, from "commercial and industrial rivalry."

In revising her preferential tariffs, Great Britain will not overlook the fact that America is her chief commercial competitor. She will extend her tariff wall around her new dominions—as she extended it early in the war around the captured German colonies in Africa—and American goods will be excluded from the lands we are guaranteeing to Great Britain, just as American goods are being excluded to-day from German Southwest Africa, and other territories where, before the war, our goods entered upon an equal footing with the commerce of the world.

The Senate must reckon with this result of the peace settlement, as well as with the effect upon American commerce of giving Great Britain power to levy prohibitive shipping and freight rates on the great trade routes and in the great ports of entry over which she has recently extended her control.

#### BRITISH EXPLOITATION OF SUBJECT PEOPLES.

I have heard it stated in this Chamber that Great Britain is the one great colonizing nation in the world. In justification of her wide dominion, it has been argued that she is peculiarly fitted to administer the government of distant territories.

Senators who advance that doctrine ignore the fact that the day of colonization is past. There has been no effort—and there will be none—to colonize India, Egypt, or Mesopotamia, as Canada, Australia, and South Africa have been colonized. Out of a total population in India and her dependencies of 360,000,000, there are to be found only 170,000 Europeans and Americans, of whom two-thirds are British subjects. Great Britain holds these immense territories and administers the affairs of the native populations, not for purposes of colonization, but for the sole object of exploitation.

Under the pretense of altruism, with much talk of bestowing the blessings of Christianity and civilization upon the "backward peoples," the imperial nations of Europe have ruthlessly exploited the rich resources and vast populations of Africa and Asia.

The covenant of the league of nations provides that in the future this exploitation shall be carried on under the authority of a mandate. No provision is made whereby the dependent countries may safeguard their natural resources. It is not even provided that a "backward" nation may refuse a mandate which it knows is prompted by selfish interest.

A native Hindu, writing of the subjection of his race and of western domination of Asia has aptly described the conditions the treaty of peace will perpetuate:

There are four main incentives for the subjection of Asia: (1) Rich natural resources; (2) unlimited amounts of human material (cheap labor); (3) raw material for feeding the looms and factories of Manchester and Lancashire; (4) markets—a place on which to dump the cheap manufactured trash of Europe.

That is the analysis, Mr. President, of this keen eastern mind of the reasons why Asia is now held fast under foreign rule.

The writer now describes the real purpose of the governments maintained by foreign powers in Asia:

In return for the possession and exploitation of natural resources and human beings, the exploiting nation establishes and forces upon the unwilling, unarmed, and defenseless people a political despotism the chief aim of which is to render economic exploitation more efficient.

Under this system of political and economic exploitation, Asia has endured three centuries of torture. Countless millions have starved to death while food which they have grown has been shipped from their country; railroads and strategical harbors have been built for this purpose. Not only were railroads built with private British capital, but the British government in India guaranteed a profit to all investors, such money to come from the Indian revenues if the railroads did not pay for themselves.

Their industries have been destroyed that they might not compete with Manchester and Lancashire and that they might remain producers of raw materials; their self-governing, democratic village communities have been destroyed and authority centralized in one hand that exploitation might be more thorough; their schools have been destroyed and education denied them, save that which fitted them for subordinate clerical positions under European masters; opium and liquor have been forced upon them by cannons with a four-fold purpose; revenue, easier economic subjection, easier political subjection, racial and cultural destruction.

That is the system which is being forced to-day upon the unwilling races of Asia and Africa.

It may be said that this picture is overdrawn. It is my own belief that it tells the ugly truth of the white man's penetration in China, India, Egypt, and other defenseless countries.

I shall not review the results of that system. Wherever it has been imposed, it has brought famine, misery, and rebellion. The average income of a native worker in India to-day is less than \$10 a year, and \$1.50 of that amount is wrung from him annually in taxes levied by an alien government. The statement before the Foreign Relations Committee of the Senate that 6,000,000 natives died during the last three months of 1918 because of the "drawing of resources out of India, making it impossible for her to maintain an adequate food supply," has not been denied.

Wherever the British flag flies over a subject people to-day, revolution is brewing. Ireland is an armed camp. Three hundred and fifty millions of Indians are stirring. The Egyptians, betrayed into the passive acceptance of a protectorate, are in open revolt. Egypt was called by Napoleon "the most important country in the world." Bismarck referred to it as "the nerve center" of the British Empire. British ascendancy in Persia, Afghanistan, and China meanwhile, depends upon the maintenance of her rule in India. If she should lose either India or Egypt, most of the subject peoples whom she exploits would gain their freedom.

#### LEAGUE FORMED TO PRESERVE STATUS QUO.

Mr. President, there is one agency to which Great Britain may look for aid in holding her rebellious subjects in check, and that agency is the league of nations.

I care not what reservations or amendments we attach to this covenant. In the final analysis it is an instrument for the preservation of the status quo. Like the Holy Alliance of 1815, it is couched in the language of idealism and peace. But, like the Holy Alliance, it will be used for the suppression of nationalities and for the prosecution of oppressive warfare.

This covenant closes the door in the face of every people striving for freedom. Not one of the races now held in bondage had a voice in the making of this instrument. Not one was granted an opportunity to be heard at Paris. This covenant was so cunningly conceived that the first act of revolution in India, Korea, Egypt, or Ireland will be interpreted as a "threat of war" and a disturbance of the "peace of nations." Patriots of India, Egypt, Ireland seeking external aid for their countries as Franklin sought aid in France for the struggling American colonies, and as Kosciuszko, De Valera, and many others have sought aid in the United States for the cause of human freedom, by the terms of this treaty become international outlaws. No ingenuity of interpretation of the articles of this document can remove from my mind the conviction that it destroys everywhere the right of asylum.

If we are to disregard every principle of our free institutions and every tradition of the past, there are yet other reasons why we should withhold our support from this new alliance.

We should not deceive ourselves into believing that there can be a permanent enforcement of the present system of exploitation in Asia. The civilization of these Asiatic countries is more venerable than our own. Asia's contribution to the world has been the principle of human brotherhood. Asia has produced the great moral teachers of history—Confucius, Buddha, Mohammed, Christ.

To these great teachers may be traced the nonresistance and pacifism of the Asiatic peoples.

The races of Asia have now suffered for three centuries under European exploitation. Off the east coast of China they see the smallest of the Asiatic nations, Japan, holding a place of

power in the councils of the world. They know that Japan owes her present ascendancy to the military and naval strength which she built up in a decade. With this example before them, is it likely that the millions of Asia will continue long under foreign rule? China has already awakened under the stimulus of a revolution and the theft of Shantung. India is approaching revolt. Should the league of nations attempt to maintain indefinitely the status quo in Asia, the world will witness a more terrible war than the one from which we have emerged. It will be a continental war—a race war, in which the white races will be hopelessly outnumbered.

If we ratify the treaty with Germany we are leading this country farther into the shadow of that menace.

Mr. President, I do not speak of Great Britain's mighty Empire in a spirit of covetousness.

I do not covet for this country a position in the world which history has shown would make us the object of endless jealousies and hatreds, involve us in perpetual war, and lead to the extinction of our domestic liberty. I, for one, harbor no ambition to see this country start upon the path which has lured other nations to their ruin.

Mr. President, we can not, without sacrificing this Republic, maintain world dominion for ourselves. And, sir, we should not pledge ourselves to maintain it for another.

Where are Great Britain's boundaries likely to be assailed? Certainly not in Australia, Canada, South Africa, or New Zealand. These self-governing dominions—colonized and peopled by Englishmen—have given ample proof of their loyalty to the mother land and their Anglo-Saxon populations need no league of nations to guarantee the integrity of their territories.

It is the vast native populations, held in bondage for the enrichment of a small class of imperialist aliens—the millions of India, Egypt, and the Ottoman Empire—who are apt in the future to disturb the status quo created by this peace.

It is these peoples that the league of nations must hold in check. It is to maintain this part of her Empire that Great Britain must keep her mighty navy and burden the English people with taxes.

It is my conviction that the English people residing in the dominions and the British Isles would benefit most if this illicit portion of the Empire should crumble and fall away.

If the British Empire were limited to the dominions, with its government founded upon the consent of the governed, and hence requiring no guarantees from other nations, the peace of the world would rest upon a sounder basis.

Mr. President, I know the argument will be advanced here that the 400,000,000 unwilling subjects of the British Empire enjoy better government than they would enjoy if left to govern themselves.

Senators, that is an argument which, even if it were based on truth, should have no place in the American Congress. We owe our national existence to the courage of a handful of men who proclaimed to the world the self-evident truths that—

All men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness, that to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed.

A controversy arose in this country 60 years ago as to the application of those great principles. In that contest, Abraham Lincoln contended that the Declaration of Independence applied not alone to white men, or to the descendants of the English settlers in the colonies, but to all men, white and black, yellow and brown, and he declared that Declaration the "sheet anchor of American republicanism."

#### LINCOLN ON SUBJUGATION OF WEAKER PEOPLES.

When the arguments were advanced in this country for the enslavement of the Negro which are now advanced for denying the natives of India and of Egypt self-government, Lincoln replied (Chicago, Ill., July 10, 1858):

Those arguments that are made, that the inferior race are to be treated with as much allowance as they are capable of enjoying; that as much is to be done for them as their condition will allow. What are these arguments? They are the arguments that kings have made for enslaving the people in all ages of the world. You will find that all the arguments in favor of kingcraft were of this class; they always bestrode the necks of the people, not that they wanted to do it, but because the people were better off for being ridden. That is their argument, and this argument of the judge (Douglas) is the same old argument that says, You work, and I eat; you toil, and I will enjoy the fruits of it. Turn it whatever way you will, whether it come from the mouth of a king as an excuse for enslaving the people of his country, or from the mouth of men of one race as a reason for enslaving the men of another race, it is all the same old serpent.

In the same speech, Lincoln said:

Now, I ask you in all soberness, if all these things, if indulged in, if ratified, if confirmed and indorsed, if taught to our children, and repeated to them, do not tend to rub out the sentiment of liberty in the country, and to transform this Government into a Government of some other form?

In that same great contest, on another occasion (Edwardsville, Ill., Sept. 13, 1858), Lincoln said:

What constitutes the bulwark of our own liberty and independence? It is not our frowning battlements, our bristling seacoasts, our army and our navy. These are not our reliance against tyranny. All of these may be turned against us without making us weaker for the struggle. Our reliance is in the love of liberty which God has planted in us. Our defense is in the spirit which prizes liberty as the heritage of all men, in all lands everywhere. Destroy this spirit and you have planted the seeds of despotism at your own doors. Familiarize yourselves with the chains of bondage and you prepare your own limbs to wear them. Accustomed to trample on the rights of others, you have lost the genius of your own independence and become the fit subjects of the first cunning tyrant who rises among you.

Mr. President, when Abraham Lincoln contended for the right of self-government, as the heritage of "all men in all lands, everywhere," who can say that he would have excluded the people of Egypt, of India, and of Ireland?

These people do not ask that we send armies to Europe or Asia to aid them in gaining their freedom. They ask, simply, that we shall do nothing to hinder them in their struggle for independence from the power which once held sway over the American Colonies.

The hope expressed here, that by entering the league of nations we can best serve these subject races is, in my opinion, a forlorn hope.

If we were powerless to serve oppressed peoples at Paris, by what logic can it be argued that we shall be better able to serve them at Geneva?

At Paris our enemies, our Allies, and the neutral nations of the world had accepted the fourteen points which we were pledged to write into the peace.

How the representatives of the United States compromised those principles, how they set aside the doctrine of self-determination, how they abandoned "open covenants openly arrived at" for the secret treaties of the Allies, are now matters of history. Can it be hoped that at Geneva, with the confidence of the world blasted in the stability of our purposes and ourselves bound to a covenant which pledges our support for the status quo, we shall be a powerful advocate for Korea, India, Egypt, and Ireland?

Mr. President, when the American people were committed to this war, the great mass of them were led to believe that they were suffering and fighting for the destruction of arbitrary power, exercised by strong nations over weaker people—fighting to carry democracy to all parts of the world.

The war ended. We sacrificed a quarter of a million precious American lives, incurred a war-debt of thirty billions, disorganized industry, engendered class hatred in our social order, created a new crop of profiteering millionaires, overturned a German autocracy and built up a British autocracy infinitely stronger to rule the world, and we are now engaged in creating a league of nations to perpetuate its power and bind this Government to respect and preserve its extended boundaries.

Look at the map of the world as Great Britain's boundaries were fixed before the war! British possessions—widely scattered, outlying, detached, isolated—waiting to be united, bound together, and made secure!

Look at the map to-day, with British boundaries reaching out over the earth to embrace her spoils of war.

The map of the world has become the map of Great Britain. It is not the work of chance. On its face it is the written confession of the guilt of British imperialists for their full share in the years of diplomatic intrigue which inevitably embroiled the world in war.

How puny appear the ambitions of Germany compared to the imperial power now actually attained by Great Britain!

In spite of the protestation of Lloyd-George that England did not seek "one yard of territory," Great Britain has made capital of the sacrifices of the United States, of France, and of the English people, to bring a vast new territory under her flag, and British bankers and traders are preparing for a new era of exploitation.

I do not believe that the British Empire, in which the missing links were neatly fitted at the Paris conference, is an accident of events.

It is plainly the consummation of the long-considered and well-planned program of the imperialists who dominate the British foreign office, at the expense of the English people. To this source, in my opinion, may be traced many of the minor irritants which lead up to the war.

It was this force which built up in the United States by subtle propaganda hatred of Germany. It is this power which now seeks American support for a treaty visiting upon the German Republic a peace more crushing, more harsh and pitiless in its terms, than any peace threatened to be imposed upon the German Empire under the rule of the Kaiser and the Junker.

That this venomous and unreasoning hatred of Germany still persists in some parts of our country will not restrain me from



raising my voice in protest against the crushing of the German Republic and the German people, who, according to the President's own statements, were not responsible for the war.

If we ratify the treaty of Versailles, after pledging ourselves to a peace based upon the fourteen points—which had been approved by the Allies and accepted in good faith by the Central Powers—we shall stand convicted before the world as a Nation without honor, and unworthy to be trusted to fulfill the pledges it has made.

Mr. KENYON. A parliamentary inquiry, Mr. President. I would like to know if one Senator can give his time to another Senator. I would like to give the Senator from Wisconsin—

Mr. GRONNA. That has been decided.

Mr. KENYON. It has been decided?

Mr. GRONNA. Yes.

Mr. LA FOLLETTE. I would like to have the Senator complete that statement; he would like—

Mr. KENYON. I would like to give the Senator a part of my time.

Mr. LA FOLLETTE. I am indeed grateful there is one Senator who indicates that disposition.

Mr. GRONNA. Two.

Mr. LA FOLLETTE. Yes; there is one in addition to the Senator from North Dakota.

The PRESIDING OFFICER. The Chair has ruled that according to his understanding of the rule that could not be done. But of course that decision is reviewable by the Senate.

Mr. LA FOLLETTE. I asked a question of the desk. Will the desk tell the Presiding Officer, and let me be informed how much time I have left?

The PRESIDING OFFICER. You have thirty minutes of your own time left.

Mr. LA FOLLETTE. Thirty minutes of my own time?

The PRESIDING OFFICER. Yes, that is not taking out the time the Senator used of the time of the Senator from North Dakota [Mr. GRONNA].

Mr. LA FOLLETTE. I want to reserve that thirty minutes to discuss certain reservations that I have offered here, and therefore I forego making additional argument that I think is in the interests not only of the material welfare of this country, but in the perpetuity of its free institutions.

The PRESIDING OFFICER. The question is on the substitute offered by the Senator from Utah [Mr. KING] for the reservation proposed by the Senator from North Dakota [Mr. McCUMBER].

Mr. THOMAS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is suggested. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hale	McNary	Smith, Ga.
Ball	Harding	Moses	Smith, S. C.
Bankhead	Harris	Nelson	Smoot
Beckham	Harrison	New	Spencer
Borah	Henderson	Newberry	Stanley
Calder	Hitchcock	Norris	Sterling
Capper	Johnson, Calif.	Nugent	Sutherland
Chamberlain	Johnson, S. Dak.	Overman	Swanson
Clait	Jones, Wash.	Owen	Thomas
Cummins	Kellogg	Page	Townsend
Curtis	Kendrick	Penrose	Trammell
Dial	Kenyon	Phelan	Underwood
Dillingham	Keyes	Pittman	Wadsworth
Edge	King	Poin Dexter	Walsh, Mass.
Elkins	Kirby	Pomerene	Walsh, Mont.
Fernald	La Follette	Reed	Warren
Fletcher	Lenroot	Robinson	Watson
France	Lodge	Sheppard	Wolcott
Frelinghuysen	McCormick	Shields	
Gay	McCumber	Simmons	
Gronna	McKellar	Smith, Ariz.	

The VICE PRESIDENT. Eighty-one Senators have answered to the roll call. There is a quorum present.

Mr. HITCHCOCK. Mr. President, without interruption I should like to take five or six minutes to explain why I can not vote for the substitute offered by the Senator from Utah [Mr. KING] nor for the original reservation offered by the Senator from North Dakota [Mr. McCUMBER].

A good deal of emphasis has been laid on the fact that this is recognizing an international labor conference which may have an important effect on labor throughout the world. It makes no difference whether we recognize by this instrument an international labor conference or not. Such conferences have been held, and they will continue to be held, and will exert an influence on labor questions throughout the world. The only question is whether, by giving them Government recognition here and by providing Government participation, we will succeed in stabilizing labor conditions everywhere and in equalizing them in a reasonable way in the reasonable interest of labor.

Mr. President, under present conditions when labor holds an international conference all the members represent labor; they are labor delegates. Under the plan proposed in this treaty, one-half of the members attending the conference will be appointed by the Governments and will represent the general public, one-quarter only will represent labor, and one-quarter will represent employers, so that the result is apt to be more conservative and fairer and more in accordance with the welfare of society than to have one class only represented.

Mr. President, there is another thing. A governing body is created in addition to this conference which is to be held once a year. The governing body also consists one-half of representatives of the various nations, one-quarter of labor, and one-quarter of employers. So there again we have a responsible body more likely to reach reasonable decisions than if they were wholly belonging to one class.

Another thing I want to impress upon Senators is that the action of the conference is only advisory. It can not pass any resolution or enact any decree that binds anybody. All it can do is to recommend to the nations of the world, and there are only two methods in which those recommendations can be considered. First, the recommendation by the international labor conference can be put into the form of a treaty between the nations to which it refers. If that is ratified, then it binds them just the same as any other treaty is binding. Second, if not put into a treaty, it may be indrafted into the legislation of the various countries. In the United States that would require an act of Congress.

So there is no danger that the labor conditions of the United States will be governed by any international body. Always the question will remain a matter for Congress to decide or for the Senate to pass upon if it is in the form of a treaty to be ratified.

With these explanations, what objection can there be to this provision in the treaty? What possible objection is there to making an effort to stabilize labor conditions and equalize them throughout the world? We have complaints of pauper labor competition with the United States. The natural tendency will be to equalize, if this conference shall have their way, the eight-hour day not only in the United States but in other countries that have not adopted it, and with the conservative feature introduced by the representatives of the Governments, by the representatives of two classes, the employer and the employee, I can see no reason why the best results can not be secured.

I have heard it stated that nations were bound by this international labor conference. Let me read a single paragraph from article 405, which demonstrates absolutely that that statement is not true. It reads as follows, page 501:

If on a recommendation no legislative or other action is taken to make a recommendation effective, or if the draft convention fails to obtain the consent of the authority or authorities within whose competence the matter lies, no further obligation shall rest upon the member.

In other words, a recommendation is made by the labor conference, and if the United States Senate does not ratify a treaty to take it into effect or if the Congress of the United States shall not enact a law to take it into effect, it does not bind the United States in any degree.

The VICE PRESIDENT. The question is on the substitute offered by the Senator from Utah [Mr. KING], on which the yeas and nays have been requested.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CURTIS (when his name was called). I have a pair with the junior Senator from Rhode Island [Mr. GERRY], who is unavoidably detained from the Senate. I therefore withhold my vote.

Mr. KENDRICK (when his name was called). I have a general pair with the senior Senator from New Mexico [Mr. FALL], in his absence I withhold my vote.

The roll call having been concluded, the result was announced—yeas 43, nays 48, as follows:

#### YEAS—43.

Ball	Gore	McLean	Sherman
Borah	Gronna	Moses	Shields
Brandeggee	Harding	Myers	Smith, Ga.
Calder	Johnson, Calif.	New	Smoot
Cummins	Jones, Wash.	Newberry	Sutherland
Dial	Kenyon	Norris	Thomas
Dillingham	King	Page	Wadsworth
Elkins	Knox	Penrose	Walsh, Mass.
Fernald	La Follette	Phipps	Warren
France	Lodge	Poin Dexter	Watson
Frelinghuysen	McCormick	Reed	

#### NAYS—48.

Ashurst	Chamberlain	Fletcher	Harrison
Bankhead	Clait	Gay	Henderson
Beckham	Culberson	Hale	Hitchcock
Capper	Edge	Harris	Johnson, S. Dak.

Jones, N. Mex.	Nelson	Robinson	Sterling
Kellogg	Nugent	Sheppard	Swanson
Keyes	Overman	Simmons	Townsend
Kirby	Owen	Smith, Ariz.	Trammell
Lenroot	Phelan	Smith, Md.	Underwood
McCumber	Pittman	Smith, S. C.	Walsh, Mont.
McKellar	Pomerene	Spencer	Williams
McNary	Ransdell	Stanley	Wolcott

## NOT VOTING—4.

Curtis	Fall	Gerry	Kendrick
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So Mr. KING's substitute was rejected.

The VICE PRESIDENT. The question now recurs on the reservation offered by the Senator from North Dakota [Mr. McCUMBER].

Mr. LODGE. I call for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CURTIS (when his name was called). Making the same announcement as on the previous vote, I withhold my vote.

Mr. KENDRICK (when his name was called). Making the same announcement with reference to my pair with the Senator from New Mexico [Mr. FALL], I withhold my vote.

The roll call was concluded.

Mr. BECKHAM (after having voted in the negative). Has the senior Senator from West Virginia [Mr. SUTHERLAND] voted?

The VICE PRESIDENT. He has not.

Mr. BECKHAM. I have a pair with that Senator and I withdraw my vote.

The result was announced—yeas 54, nays 35, as follows:

## YEAS—54.

Ball	Gore	McCormick	Reed
Borah	Gronna	McCumber	Shields
Brandeggee	Hale	McLean	Smith, Ga.
Calder	Harding	McNary	Smoot
Capper	Johnson, Calif.	Moses	Spencer
Colt	Jones, Wash.	Myers	Sterling
Cummins	Kellogg	Nelson	Thomas
Dial	Kenyon	New	Townsend
Dillingham	Keyes	Newberry	Wadsworth
Edge	King	Norris	Walsh, Mass.
Elkins	Knox	Page	Warren
Fernald	La Follette	Penrose	Watson
France	Lenroot	Phipps	
Frelinghuysen	Lodge	Polindexter	

## NAYS—35.

Ashurst	Hitchcock	Pittman	Smith, S. C.
Bankhead	Johnson, S. Dak.	Pomerene	Stanley
Chamberlain	Jones, N. Mex.	Ransdell	Swanson
Culberson	Kirby	Robinson	Trammell
Fletcher	McKellar	Sheppard	Underwood
Gay	Nugent	Sherman	Walsh, Mont.
Harris	Overman	Simmons	Williams
Harrison	Owen	Smith, Ariz.	Wolcott
Henderson	Phelan	Smith, Md.	

## NOT VOTING—6.

Beckham	Fall	Kendrick	Sutherland
Curtis	Gerry		

So Mr. McCUMBER's reservation was agreed to.

## MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the following bills:

S. 3319. An act to provide for the reimbursement of the United States for motive power, cars, and other equipment ordered for railroads and systems of transportation under Federal control, and for other purposes; and

S. 3332. An act authorizing the board of county commissioners of the county of Hartford, in the State of Connecticut, to construct a bridge across the Connecticut River between Windsor Locks and East Windsor, at Warehouse Point, in said county and State.

The message also announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9821) to amend "An act entitled 'An act relating to the Metropolitan police of the District of Columbia,' approved February 28, 1901," and for other purposes.

The message further announced that the House had passed the following bill and joint resolution, in which it requested the concurrence of the Senate:

H. R. 10453. An act to provide for the termination of Federal control of railroads and systems of transportation; to provide for the settlement of disputes between carriers and their employees; to further amend an act entitled "An act to regulate commerce," approved February 4, 1887, as amended, and for other purposes; and

H. J. Res. 249. Joint resolution to continue the control of imports of dyes and coal-tar products.

## ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (S. 425) to establish the Zion National Park in the State of Utah.

## EMBARGO ON DYES AND COAL-TAR PRODUCTS.

Mr. PENROSE. Mr. President, there is a joint resolution on the Vice President's table which came over from the other House about half an hour since. I do not think there will be any discussion of or objection to it, and I ask unanimous consent, as in legislative session, that the Chair may lay the joint resolution before the Senate.

The VICE PRESIDENT. Is there objection?

Mr. HITCHCOCK. I should like to know what the joint resolution proposes.

Mr. PENROSE. It is relative to dyestuffs and is similar to the joint resolution which was before the Senate the other afternoon.

Mr. HITCHCOCK. I shall have to object to its consideration.

Mr. SIMMONS. I hope the Senator from Nebraska will not object. As amended, I think the joint resolution is wholly objectionable, and its passage, I think, is very important.

Mr. PENROSE. All objection to the joint resolution, I think, has been eliminated.

Mr. HITCHCOCK. Can it be passed without debate?

Mr. SIMMONS. I think so.

Mr. PENROSE. I think there will be no debate, as all opposition to the joint resolution has been allayed.

Mr. HITCHCOCK. If there will be no debate, I withdraw my objection to the consideration of the joint resolution.

The VICE PRESIDENT. There being no objection, the Chair lays before the Senate the joint resolution.

The joint resolution (H. J. Res. 249) to continue the control of imports of dyes and coal-tar products was read the first time by its title and the second time at length, as follows:

*Resolved, etc.,* That notwithstanding the prior termination of the present war, the provisions of the trading-with-the-enemy act, approved October 6, 1917, and of any proclamation of the President, issued in pursuance thereof, which prohibit or control the importation into the United States of dyes or other products derived directly or indirectly from coal tar are continued until January 15, 1920.

Mr. PENROSE. Mr. President, I only want to say that this joint resolution is identical, word for word, with the joint resolution which has been reported unanimously from the Committee on Finance of the Senate and to which every Senator has agreed. It simply gives two months' protection—whether adequate or not I do not know—until permanent legislation on the subject may be passed.

Mr. SMOOT. Mr. President, all I desire to say is that I shall, if I can get an opportunity, vote "nay" upon this joint resolution. I shall not vote for a license system, even though I know that it is necessary to protect the dyestuffs industry.

There being no objection, the Senate as in Committee of the Whole proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, and read the third time.

Mr. JONES of Washington. Mr. President, I wish to ask the Senator from Pennsylvania a question. There are several bills which are considered as emergency measures which have passed the House of Representatives relating to the tariff on particular items, such as magnesite, tungsten, and some other commodities. I desire to know what the disposition of the Committee on Finance is with reference to those measures?

Mr. PENROSE. Mr. President, the committee had a meeting some time ago and unanimously resolved that none of those bills should be taken up until the peace treaty shall have been disposed of. However, at the earnest request of people who were here in Washington and who desired to be heard in reference to some of these measures, a subcommittee of the Committee on Finance was appointed, which has been holding hearings and has completed them on zinc and tungsten.

Mr. JONES of Washington. What I desire to get at is, is it the disposition of the committee in the near future to take action upon these special bills that have passed the other House and to bring the matter before the Senate for consideration and action?

Mr. PENROSE. It is the purpose of the committee at the very earliest practicable moment to take up all these bills, including the one relating to magnesite, in a friendly spirit.

Mr. DIAL. Mr. President, the other evening I objected to the consideration of the joint resolution which was before the Senate in reference to this matter. The reason I did so was because of a telegram which I received and which reads as follows:

Grateful for your telegram. Very important for cotton-mill industry that foreign fast color dyes are admitted without further delay or hindrance. One cotton manufacturer has million and half dollars' shirting cloth requiring these dyes, unable to deliver without them; meanwhile many million dollars of these shirtings with fast dyes have been recently bought in England for importation to this country. Our print works has many thousand pieces held up for lack of fast colors. Will certainly lose its export trade in shirting unless permitted to secure dyes available to foreign competitors.



Mr. President, I have no objection to the resolution in the shape in which it is now presented, but I do want to vote to allow dyes to be imported into this country. I have had the matter up direct with the War Trade Board, and they have promised that they would allow such action. It is important to the cotton-mill industry that we get dyes immediately, and if they can not be manufactured in the United States they will have to be imported. Personally I wish this board could go out of existence and let the country get back to normal. I am perfectly willing to protect American industry to a reasonable extent, but if we can not manufacture dyes, then we should be allowed to import them as soon as possible.

Furthermore, I do not object to German importation, as some others do. If we expect Germany to get back on her feet, it will be necessary to begin to trade with her, and I want either that dyes be manufactured in this country or to have them imported right away in order to help the manufacturers of this country. Dyestuffs enter into the cost of clothing, and it is time that the price of clothing should come down.

I have no objection to the joint resolution being considered, but the reason I objected the other day was because of the statements in the telegram I have read and in a number of other messages I have received along the same line. Furthermore, I do not think that the board has been functioning as it should function.

The VICE PRESIDENT. The question is, Shall the joint resolution pass?

The joint resolution was passed.

The VICE PRESIDENT. Without objection, the joint resolution (S. J. Res. 125) to continue the control of imports of dyes and coal-tar products will be taken from the calendar and postponed indefinitely.

#### TREATY OF PEACE WITH GERMANY.

The Senate, as in Committee of the Whole and in open executive session, resumed the consideration of the treaty of peace with Germany.

Mr. McCUMBER. Mr. President, I offer an additional reservation, which is No. 4 of the reservations which I filed and had read several days ago. I will ask the Secretary to read it.

The VICE PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

That the United States understands and so construes the provisions of the covenant of the league of nations that when the case referred to the council or the assembly involves a dispute between one member of the league and another member whose self-governing dominions, colonies, or parts of empire are also represented in the body to which the case is referred, or involves a dispute between one member and any such dominion, colony, or part of empire, both the disputant members, including the dominion or principal country and all its said dominions, colonies, and parts of empire, are to be excluded from voting upon any phase of the dispute.

Mr. McCUMBER. Mr. President, if the Senators will turn to page 31 of the treaty of peace with Germany they will find the second amendment, known as the Moses amendment. That amendment was voted down, with the understanding that there would be a substitute or substitutes offered for it, so that we could meet the question of any country involved in a dispute having more votes than the other disputant member.

The amendment offered by the Senator from New Hampshire read as follows:

Whenever the case referred to the assembly involves a dispute between one member of the league and another member whose self-governing dominions or colonies or parts of empire are also represented in the assembly, neither the disputant members nor any of their said dominions, colonies, or parts of empire shall have a vote upon any phase of the question.

Mr. President, two objections were urged against this amendment. One was that it referred to cases in the assembly only, and it was claimed that a self-governing dominion might by some possibility become a member of the council, and that the amendment would not cover the council. While I believe that no self-governing dominion which is subject to some other member of the league could obtain a place in the council, I have taken care of that contingency by making the reservation include both the council and the assembly.

Another objection was that it referred to disputes only with the parent country itself and not to disputes with any of its dominions. Applying the case to Great Britain, for instance, it was held that if we might have a dispute with Great Britain the British Empire, under the amendment, would have but the one vote, but if our dispute was with Canada or Australia, then the rule would not apply. That contingency is taken care of in the latter portion of my reservation, which provides:

Both the disputant members, including the dominion or principal country and all its said dominions, colonies, and parts of empire, are to be excluded from voting upon any phase of the dispute.

I think that covers the question better than any other suggestion that has been presented thus far, as it covers both disputes with the dominant or parent country and with any one of its self-governing dominions, possessions, or parts of empire. I do not claim that it would cover those cases where there would be a dispute between two other members outside the British Empire, where any member of the assembly could have a vote. That should be taken care of by an entirely different reservation, which will be offered; and this, I desire to say, reaches only that one feature of the case.

Mr. HITCHCOCK. Mr. President, I think the reservation offered by the Senator from North Dakota expresses what is the real meaning of the league covenant, and I see no objection to its adoption.

Mr. McCUMBER. I think it does.

Mr. JOHNSON of California. Mr. President, I offer as a substitute the matter which I send to the desk.

The VICE PRESIDENT. The amendment, in the nature of a substitute, will be stated.

The SECRETARY. In lieu of the words proposed to be inserted by the Senator from North Dakota, as a separate reservation, it is proposed to insert the following:

The Senate of the United States advises and consents to the ratification of said treaty with the following reservations and conditions, anything in the covenant of the league of nations and the treaty to the contrary notwithstanding:

When any member of the league has or possesses self-governing dominions or colonies or parts of empire which are also members of the league the United States shall have representatives in the council and assembly and in any labor conference or organization under the league or treaty numerically equal to the aggregate number of representatives of such member of the league and its self-governing dominions and colonies and parts of empire in such council and assembly of the league and labor conference or organization under the league or treaty; and such representatives of the United States shall have the same powers and rights as the representatives of said member and its self-governing dominions or colonies or parts of empire; and upon all matters whatsoever, except where a party to a dispute, the United States shall have votes in the council and assembly and in any labor conference or organization under the league or treaty numerically equal to the aggregate vote to which any such member of the league and its self-governing dominions and colonies and parts of empire are entitled.

Whenever a case referred to the council or assembly involves a dispute between the United States and another member of the league whose self-governing dominions or colonies or parts of empire are also represented in the council or assembly, or between the United States and any dominion, colony, or part of any other member of the league, neither the disputant members nor any of their said dominions, colonies, or parts of empire shall have a vote upon any phase of the question.

Whenever the United States is a party to a dispute which is referred to the council or assembly, and can not, because a party, vote upon such dispute, any other member of the council or assembly having self-governing dominions or colonies or parts of empire also members, upon such dispute to which the United States is a party or upon any phase of the question, shall have and cast for itself and its self-governing dominions and colonies and parts of empire, all together, but one vote.

Mr. JOHNSON of California. Mr. President, the substitute which I offer speaks for itself. It is the third attempt which I have made in this body to obtain equal representation and equal voting power for our country with Great Britain. There is yet another opportunity to present the question, I presume; and I conceive it to be my duty, feeling as I do, and feeling as I do in respect to the disproportionate voting power and disproportionate representation which we are about to give as Americans to Great Britain, whenever occasion shall arise hereafter, and whenever the opportunity shall be presented, to present again to the Senate exactly this reservation and again have the subject matter determined.

I seek by this reservation not to correct one evil arising out of the voting power under the league of nations, but to correct all of the evils which arise from giving Britain six times the voting power which is accorded to the United States under the league of nations. It has been my fond hope—shattered; it is true, in the presentations which heretofore have been made—that the Senate would respond to an effort made here to give to our country the same representation as Great Britain in this league. But whether that hope has been shattered in the days that are past, or whether it may be shattered in the day or two to come upon this discussion, I am going to continue in my effort to obtain what I think is justice to our country, and to remedy what I think is an injustice to our Republic.

I listened yesterday to the very delightful presentation made by the Senator from Massachusetts upon the question of a Nation's honor. I confess it touched me, and it affected me, Mr. President. I do not, of course, claim to have any more or any other or any greater patriotic activities or patriotic inclinations, predilections, or feelings than any other man in this body; but the Lord has made all of us in different mold, Mr. President, some of us perhaps emotional, some of us perhaps seeing awry in our desire to protect our country, some of us without the true vision in regard to this league of nations, which, as the map we have just witnessed demonstrates, gives to another country an overwhelming and an overweening power in this

league. But seeing with that vision awry, seeing it as the Lord has given us to see, looking at this situation that confronts us as the poor faculties that we have enable us to look at it, there are some of us who think that the United States Senate ought to be engaged to-day not in doing what Lloyd-George said yesterday was the first duty of Great Britain to protect her own, but in protecting our own here in this land; and the object of this reservation I present to the Senate now is that all of those gentlemen who have been so earnest in saying to us that they want to remedy the wrong that has been done, but that they could not do it by amendment, may by reservation now remedy the wrong about which they have spoken in the past, and that they may have the opportunity by a reservation to justify not only their faith in their Nation, but their pride and their patriotism in their Nation.

I heard the Senator from Pennsylvania [Mr. Knox] yesterday describe a treaty which he negotiated with England, a treaty wherein there were three representatives of Great Britain. How many of America? Three. Ah, Mr. President, the Senator from Pennsylvania was forgetful of that which we have learned in the last few days and the last few months in this assembly and his temerity ran riot. When he negotiated a treaty with Great Britain he dared take equal representation for his country with that powerful Empire! But, Mr. President, if at the time he negotiated that treaty he had come into the Senate of the United States and had said "I have negotiated this treaty, which shall determine certain questions with Great Britain, and in negotiating this treaty, my fellows, I have given to Great Britain six votes, to our country one vote," I suspect that there would not have been the halting hesitancy and the timid fear on the part of the Senate we now witness, but the United States Senate then would have said to him, "On what theory, sir, do you give to Great Britain, in determining questions which shall arise between Great Britain and this country, six times the power and six times the representation that you give to this country?" And I suspect, Mr. President, that if that had been done in the time that the Senator from Pennsylvania negotiated that treaty with Great Britain the Senate of the United States as one man would have risen and said, "Who is it on this earth that dares to say the United States of America is inferior and subordinate to any power and shall be granted, when it enters into a partnership or a treaty with any other power, only a sixth of the representation and a sixth of the voting power?" I suspect, Mr. President, that would have been the answer of the Senate of the United States in those days when the Senator from Pennsylvania negotiated his treaty with Great Britain.

To-day, Mr. President, we have fallen upon parlous times. To-day, Mr. President, although the words of Lloyd-George are echoing around the world even now, "Our first concern is our own," it is not, as it was in those days gone by, a matter of pride and of patriotism, a matter indeed to call for eulogy and encomium, to demand for our country equal voting power and equal representation; but to-day bow your heads, bend your backs; Great Britain, 6 votes in the league of nations; the United States, 1 vote in the league of nations. To-day the British Empire in the league of nations, 6 representatives, 18 representatives under one part of the covenant; the United States, 1 representative, or 3 representatives under a part of the covenant.

Under the labor provisions of that document the United States has 4 representatives, the Empire of Great Britain 24 representatives.

When, my friends, did we become so poor a nation that we were entitled to only one-sixth of the representation or the voting power of any nation on the face of the earth?

Oh, you may vote it down here if you will. You may say, if you want, as you have said heretofore, that Great Britain shall have six representatives and we have one; that Great Britain is entitled in our world partnership to six times the votes that we have and six times the representation. Say it if you will! I dare say to you that outside of this Chamber there are no Americans who say it, and, saving a very few, the only men in all this land to-day who insist that Great Britain shall have six times the power, six times the votes, and six times the representation of the United States of America are the Members of the United States Senate.

They may be right. They may, with a wider vision, see the greater power of Great Britain. They may, in an emotional internationalism, be perfectly clear that Great Britain in the league of nations should have six times our voting power and six times our representation. I admit they may be wholly right. But God has not given it to me to see that way. This yet is my country, and so far as my vote will permit it my country will

never be inferior or subordinate to any other country on the face of the earth, whether it is Great Britain or whether it is any other power.

I know the time for appeal has passed. I realize that no argument that I might make would have the slightest effect upon this reservation. I realize that aught I might say concerning this disproportionate voting power and this disproportionate representation will fall doubtless upon deaf ears. But now, when the opportunity comes, to-morrow if it comes again, the next day, the next year, the next decade, whenever it comes, as I see this, I shall insist and demand that the United States of America stands on an equality with even Great Britain and shall have equal power with any nation.

Mr. TOWNSEND. May I ask the Senator a question in my time? I am in such hearty sympathy with the sentiments of the Senator from California that I am wondering if I understand the last paragraph of the Senator's reservation. I understand that he has never presented it before in that form?

Mr. JOHNSON of California. Not in that form. That is correct.

Mr. TOWNSEND. It provides, as I understand it, that whenever the United States has a dispute, any other country having self-governing colonies shall have but one vote.

Mr. JOHNSON of California. Yes.

Mr. TOWNSEND. The Senator also provides, in the first part of his reservation, that the United States under all circumstances shall have as many votes on all questions as any other country. Would it not be possible under that last paragraph, where Great Britain, for instance, had a dispute to which the United States was not a party, for the United States to vote just as many votes as Great Britain would have had if she had not been a party?

Mr. JOHNSON of California. Do you mean if the United States is a party?

Mr. TOWNSEND. No; where the United States is not a party.

Mr. JOHNSON of California. We would have exactly the same votes that Great Britain would have under similar circumstances, neither having the right to vote in matters where they are disputants.

Mr. TOWNSEND. I have not made myself clear, I think.

Mr. JOHNSON of California. Perhaps I did not follow the Senator.

Mr. TOWNSEND. Suppose Great Britain has six votes, the Senator provides that the United States shall have six votes.

Mr. JOHNSON of California. Yes.

Mr. TOWNSEND. Where the United States is a party to a dispute and Great Britain is not, the Senator from California provides that Great Britain shall have but one vote.

Mr. JOHNSON of California. Yes.

Mr. TOWNSEND. Suppose Great Britain is a party to the dispute but the United States is not, do you not permit the United States to have six votes?

Mr. JOHNSON of California. I think not.

Mr. TOWNSEND. It seems to me that is the clear meaning of the reservation.

Mr. JOHNSON of California. No; that is not the purpose. The purpose is to give us equal representation under similar circumstances.

Mr. TOWNSEND. I feel that that was the purpose, but I am afraid that the last paragraph does not mean that. That is new, and I have not seen it before.

Mr. JOHNSON of California. The last paragraph was drawn for the purpose of eliminating the possibility of Great Britain, in a matter where we had a dispute, casting six votes.

Mr. TOWNSEND. But the Senator wanted to give Great Britain the same advantage the United States would have if the circumstances were reversed?

Mr. JOHNSON of California. Yes.

Mr. TOWNSEND. The Senator did not want the United States to have six votes in case Great Britain was a party.

Mr. KNOX. From my reading of the reservation I should say it means that if Great Britain is a party to a dispute with another nation—

Mr. TOWNSEND. Not the United States.

Mr. KNOX. No; another nation, not the United States, the United States has six votes. If the United States has a dispute with another nation, and not Great Britain, Great Britain has six votes. So they are exactly on a parity.

Mr. TOWNSEND. That is exactly what it does not say. It says they shall have one vote. If the Senator will read the last line of the last paragraph, he will see that is exactly what it amounts to. The United States can have six votes in a dispute to which it is not a party but to which Great Britain is a party,



but Great Britain can have but one vote in a case where the United States is one of the disputants and Great Britain is not. I could not believe the Senator wanted to have it that way.

Mr. JOHNSON of California. No; I do not think it is capable of that construction.

Mr. McCUMBER. Mr. President, if all the Senator stated with reference to the voting power of Great Britain were true, to which I do not agree, nevertheless the reservation which I have offered covers every possible dispute in which Great Britain is a party, whether it is a dispute with us or with anyone else, and she can have but one vote under this reservation.

In the other feature of the case, namely, where there would be a dispute between, say, Spain and Bulgaria, there is another reservation that is going to be offered under which the United States will not assume any obligation if Great Britain and all her dependencies exercise the right to cast more than one vote. So we cover it from every standpoint and protect not only the United States but protect every other country; whereas under the reservation offered by the Senator from California each of the other nations would, of course, demand an equal 6 votes; and if there were 40 of them there would be 240 votes to be cast. I think we will meet this question fairly, in a way that will meet every objection that has been made by the Senator from California, and at the same time we will not kick Canada or Australia out of the league of nations.

Mr. JOHNSON of California. We specifically do not kick Canada or the colonies of Great Britain out of the league by this reservation. We preserve our rights. In the reservation which has been offered by the Senator from North Dakota he never touches the question of representation at all, which is one of the important questions to be touched by any reservation in reference to the voting power or membership in the league. When the Senator says that we kick these colonies out of the league, he is utterly and absolutely in error, because we do nothing of the sort. Under the reservation we simply give equal representation to our country with the Empire of Great Britain; and I can not say that often enough.

Mr. COLT. Mr. President, what I have said before upon the former amendment of the Senator from California [Mr. JOHNSON] I simply wish to repeat in a word, as it applies equally to his present reservation. Agreeing with all that the Senator has said on the question of inequality, this reservation, it seems to me, is absolutely impracticable and nonenforceable. There are 27 nations who have joined in this treaty. Great Britain has six votes, with her self-governing colonies and dominions. Under the Johnson reservation we have six votes. That leaves 25 nations with one vote each. Our instrument of ratification has to be submitted to all of these powers. We must view this covenant from the standpoint of an association of nations, not from the standpoint of Great Britain and the United States alone. It is inconceivable that the other great powers—France, Italy, Japan, and other nations—will enter into any covenant in which the United States has six votes, without any self-governing colonies or dominions. To my mind it means the destruction of the treaty and its nonacceptance by the other powers, because the other powers will never accept this reservation. It is impossible to apply this reservation to the covenant as it is now written without changing it in all of its parts, changing it fundamentally, from membership voting to some other kind of voting.

Therefore, I hold that this reservation practically is an impossible proposition—and we have to look at the proposition from that standpoint—because it will never be accepted by the other nations and could not be applied to the present covenant.

Mr. REED. Mr. President, continuing the remarks of the Senator from Rhode Island [Mr. COLT], the other nations will accept the league if Great Britain has six votes; but if the United States ventures to claim six votes the other nations will reject the league. Hence the United States must waive its rights in the interest of Great Britain and go into the league with its hands tied and with Great Britain the dominant power. And this we must do because if we do otherwise we might have to change the instrument or even send it back for ratification. The importance of having—

Mr. COLT. Mr. President—

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Rhode Island?

Mr. REED. In a moment. The importance of having this instrument is so much greater than the importance of the interests of the United States that we must sacrifice our country upon the altar of this treacherous scheme.

Mr. COLT. Mr. President, I intended to say, before I sat down, that I believe this inequality can only be cured by the reservation which has been offered by the Senator from Wisconsin [Mr. LEXROOT], the terms of which we all know.

Mr. REED. Mr. President, I want to point in just a word to the great group of questions that are not covered by the reservation offered by the Senator from North Dakota [Mr. McCUMBER], and I do not know that they are covered fully even by the reservation offered by the Senator from California [Mr. JOHNSON], but of that I am not certain.

The reservation offered by the Senator from North Dakota provides that in case of a dispute, when the case is referred to the council or the assembly, and the dispute is between one member of the league and another member whose self-governing dominions, colonies, and so forth—

are also represented in the body to which the case is referred, or involves a dispute between one member and any such dominion, colony, or part of empire, both the disputant members, including the dominion or principal country and all its said dominions, colonies, and parts of empire are to be excluded from voting upon any phase of the dispute.

As I understand that, it means that in case Great Britain is a party to a dispute, all of her dominions shall be excluded from voting in that dispute. That is the meaning, in a word, if I get it. If I am wrong, I wish the Senator would correct me.

Mr. McCUMBER. That is half the meaning.

Mr. REED. What is the other half?

Mr. McCUMBER. The other half is that if there is a dispute with any one of the colonies, it is a dispute with all.

Mr. REED. Let us see where that leads us.

Mr. McCUMBER. I stated that the other question of a dispute between nations, in which neither Great Britain nor any of her colonies is a party, is to be covered by a separate reservation.

Mr. REED. But that leaves us—if there be 10,000 disputes and Great Britain and her colonies are a party to only one dispute the rule would apply in that one dispute and her colonies could not vote in case Great Britain was concerned and Great Britain could not vote nor any of the colonies in case one of the colonies was concerned. But so far as this rule is concerned, in all other disputes all of the colonies would be represented and the Empire would be represented. The Senator says he proposes another reservation covering disputes between other nations. I have not seen that reservation, and while my time is very precious, I wish the Senator would refer me to it.

Mr. McCUMBER. It is the last one on page 4 of my proposed reservations, commencing with line 11.

Mr. JONES of Washington. If the Senator from Missouri will permit me, I will read it in my own time for him.

Mr. REED. Very well. I will sit down and yield the floor, if I can do that, and allow the Senator to read it.

Mr. JONES of Washington. It is No. 9, presented by the Senator from North Dakota [Mr. McCUMBER] as an amendment to the reservation intended to be proposed by the Senator from Wisconsin [Mr. LEXROOT]. Substitute for the said proposed amendment the following:

The United States reserves the right, upon the submission of any dispute to the council or the assembly, to object to any member and its self-governing dominions, dependencies, or possessions having in the aggregate more than one vote; and in case such objection is made the United States assumes no obligation to be bound by any election, finding, or decision in which such member and its said dominions, dependencies, and possessions have in the aggregate cast more than one vote.

Mr. REED. I thank the Senator. That reserves to us a right of objection, I think. I have heard the words for the first time, and my opinion is very hastily formed.

Now, what are you going to do with this sort of a case? We have a question come up that does not involve a dispute at all between two nations, but involves, first, an election of four new members of the council. When that election comes on the United States is interested in the election of certain members of the council and Great Britain is interested in electing certain other members of the council. Great Britain in that election will cast 6 votes against the single vote of the United States, and where is the man to say that is covered by these reservations? Yet that goes to the very organization of the body that is to control the world. That is one illustration; but, sir, there will come up a multitude of questions.

Suppose this body shall undertake now to settle the question of what are to be the ultimate destinies of this territory that has recently been taken over under mandatory? Suppose that it involves the whole east coast of Africa that Great Britain has recently taken? That is not a dispute between nations within the meaning of the reservation. When that question comes up for consideration the United States may believe that those countries should be permitted to set up a government of their own, or may believe that the mandate should be extended or that it should be limited. Great Britain may desire them for herself or may advocate any other policy contrary to the policy and wish of the United States. In that question, which involves a tremendous stretch of territory and may concern trade relations of a most vital character, Great Britain casts her 6 votes and the United States casts her 1 vote.

Again, the islands of the sea have been taken over and will ultimately become the controlling factors, first in the trade of the world and finally in the dominance of the seas in time of war. That question may come up for settlement. It is not a dispute between two nations within the meaning of this reservation. It is a question of world diplomacy and it concerns a matter that is within the authority and jurisdiction of the league by express language. Great Britain desires to obtain dominance and control over certain of those islands and to establish policies which will be beneficial to her. The United States has a view that is favorable to our country or more favorable to the world. When that question comes up Great Britain casts her 6 votes and the United States casts 1 vote.

Mr. President, you can not cure this by any such reservation. The reservation is a benefit as far as it goes, but it does not go far enough. It is mincing at a thing and we are playing mice beneath the great table of Great Britain, crawling about and trying to save a crumb here and a crumb there, instead of rising in the spirit of the past and demanding that we shall travel the highway of the future the equal of any other nation.

I should like to discuss this question, but time forbids. Enough is said when I conclude my remarks with the assertion that many prominent English statesmen and many prominent English publicists have admitted the injustice of Great Britain's position and have admitted that the States of the United States, the great States, might as well ask representation for themselves as Great Britain for her colonies, and with those admissions, and with the admission of one of the foremost English publicists, that the construction which I stated upon this treaty some months ago is correct and that it ought to be rectified in the interest of justice, we find the United States Senate still sitting here and, instead of adopting a drastic reservation as we were promised would be adopted when the amendment was defeated and defeated upon the express ground that a drastic reservation would be adopted, I am afraid that there will be an attempt to defeat the reservation of the Senator from California which does go far toward rectifying the evil.

Mr. KNOX. Mr. President, I can very well understand an honest, legitimate, and conscientious difference of opinion upon almost any other feature of the treaty than the one that is raised by the reservation offered by the Senator from California [Mr. JOHNSON.] I am constrained to put my observations in the shortest space possible, because I want to reserve some time to discuss a reservation that I have myself offered. I think that the least important things that this reservation touches are contentious questions between the United States and Great Britain—or between the United States and any other power, for that matter—for, so far as disputes between the United States and Great Britain are concerned, neither the United States nor Great Britain, under the terms of this reservation, will be entitled to a vote.

But when you recall that the league of nations has jurisdiction over the earth and over all questions that affect the peace and welfare of the earth, you can imagine thousands of questions of a noncontentious character the policy involved in which may be of vital consequence to the United States; and the impropriety of having her sitting bound, with only 1 vote, with the greatest empire outside of ourselves with 6 votes, you are conceding a proposition that to me it seems impossible for any patriotic American citizen to consider with patience.

We do not have to be parties to a dispute to be vitally interested in that dispute. The principle that is involved may affect us more immediately, more directly, and more completely than the actual parties to what I might call the litigation. So I consider the great virtue of this reservation is that in questions of that character—and there will be hundreds of them where there are single ones of actual dispute between nations—it takes care of the interests, the rights, and the dignity of the United States.

Mr. PHELAN. Mr. President, I have but a few minutes' time left of my allotment, and I would have preferred to have heard the Senator from Wisconsin [Mr. LENROOT]. However, I desire to say that my inclination has been to support the league of nations covenant; but I have long come to the conclusion that it will be necessary in this particular matter to vote for a reservation. I looked with favor upon the reservation proposed by the Senator from Wisconsin until he stated in an address the other day that it did not cover the ground, and that therefore he was obliged to support the reservation proposed by the junior Senator from California [Mr. JOHNSON]. On investigating, then, the defect of the Lenroot amendment, which the Senator from Wisconsin himself can explain, I came to the conclusion that it would be necessary to support the amendment proposed by my colleague.

There is not only a question here of power, which has been ably discussed by Senators, but there is a question of prestige. Great Britain and the United States are commercial rivals, and I can well understand the smaller nations of the world, say, of South America, looking with awe and reverence and possibly giving preference in trade to the nation which in the assembly of the league would have six votes with which to assist them in any dispute in which they might be engaged. We can not afford to allow the prestige of the United States to fall in the eyes of the smaller nations of the world. So it is not only a question of power but it is a question of prestige.

I was also disposed to believe that Canada and Australia and New Zealand would be helpful to us in the settlement of many Pacific problems, and therefore I am glad that they are allowed to remain in the league under the amendment proposed by my colleague, and are not eliminated. That reservation simply provides that the United States shall have an equal number of votes with Great Britain. I would have much preferred to have seen Great Britain as an empire voting as a unit, consulting with her colonies, members of the league, to determine by such conference the manner in which the one vote of Great Britain and her colonies should be cast, but that is impracticable now, because it would involve an amendment. I say I looked with favor upon taking Australia and Canada and New Zealand into the league, because I thought they better understood our Pacific problems, if you please, than did the mother country. However, I have here a letter which shows a certain degree of bias, which is new to me, from the leading publicist of Australia, which was furnished to me in a private letter from a gentleman high in authority in the State of California, and therefore I do not give the name of the publicist. He says:

The anti-American feeling is almost as bad here now as it was during the war. I think that the trouble lies in the fact that we are afraid of America commercially and financially and show it in the stupid manner usual to crowds. I now believe that the only thing likely to make Australians regard America with friendly eyes is trouble with Japan. This seems to me to be getting nearer and people here believe it also. They imagine though that it will be possible for Australia to remain neutral in a struggle between Japan and the United States, and rather welcome it, hoping that thereby both will be weakened and Great Britain will as a result win back the commercial and financial supremacy of the world. Imagine such hopes when the Asiatics are at our very doors!

That is merely a straw, though it comes from eminent authority, but it shows that the colonies will ally themselves with the mother country in seeking to recover the trade of the world; and it is only natural. Therefore we should not give them greater voting power; we should not facilitate them in destroying the American supremacy. It will be utterly idle and foolish to do so. As the Premier of Great Britain truly said yesterday, and which we all appreciate, a man's first duty is to his own country.

Mr. JOHNSON of California. Mr. President, I shall detain the Senate but a moment. In a sentence I wish to answer, if I can, the distinguished Senator from Rhode Island [Mr. CORLISS].

The objection of the Senator from Rhode Island to this reservation is that it is impracticable. It is impracticable, Mr. President, to give the United States six votes or six representatives, but it is entirely practicable to give Great Britain six votes or six representatives. It would be a terrible thing—oh, we can all see the evil consequences—if we, as well as Great Britain, had six votes and six representatives.

Then, again, for another reason, the Senator says it is impracticable. "Think of the other nations involved!" he exclaims. I heard it said here the other day in the Senate that it was an insult to France and to Japan and to Italy and to Spain for the United States to ask six votes or six representatives in the league of nations. That statement was made on the floor of the United States Senate. The argument of the Senator from Rhode Island is on a parity with that—that it is an insult to France and to Italy and to Japan for the United States to ask six votes. Good God, does not an American ever think that it is an insult to America to give Great Britain six votes and the United States but one? If we take six votes we insult France and Italy and Japan, it is asserted. If Great Britain takes six votes it is an honor we should appreciate!

Mr. President, as earnestly as I can, let me say to my brethren upon the other side that there is going to be adopted a reservation upon this question. That goes without saying, my friends. Therefore I ask you what kind of a reservation do you want? Do you want a reservation that does not give you equal voting power and equal representation; that has in it all the ills that are at present existent in the covenant; or do you want equal voting power and equal representation? There is going to be, I repeat—and I think I do not speak inadvisedly in prophesy—a reservation adopted. Now, what will you have? The question we are up against is just this—and I put it to you gentlemen on the other side—do you believe your country should



have equal voting power and equal representation with Great Britain? No existing reservation preserves either equal voting power or gives equal representation to the United States. They may protect you subsequently by saying that ultimately you may repudiate the action; but the action will have been taken at the time of your repudiation, and it will have been taken by six representatives of Great Britain and one of ours. So I say, as the last word, the question is, Do you believe that your country should have the same voting power and the same representation as the Empire of Great Britain?

Mr. BORAH. Mr. President, as I understand the parliamentary situation, the Senator from North Dakota [Mr. McCUMBER] has offered a reservation, for which the Senator from California [Mr. JOHNSON] has offered a substitute. I have not the time to discuss, nor do I think it is necessary to discuss, the subject matter in detail; it has been discussed heretofore, and we all understand it well, but the reservation of the Senator from North Dakota does not touch the vitals of this question at all. It only applies where there is a dispute submitted to the council. It reads:

The United States reserves the right, upon the submission of any dispute to the council or the assembly, to object to any member and its self-governing dominions, dependencies, or possessions having in the aggregate more than one vote, and in case such objection is made the United States assumes no obligation to be bound by any election, finding, or decision in which such member and its said dominions, dependencies, and possessions have in the aggregate cast more than one vote.

Mr. President, the most vital and important things which will be achieved under the league, if it is brought into existence, will not be in the way of settling disputes at all. Very few disputes will ever be submitted to the council; they will be settled before they rise to the dignity of being disputes, and especially will that be true if Great Britain is permitted to control the council and to control the assembly. A question will never arise to the dignity of a dispute if those who are in absolute control may shape the policies before the time for a dispute arises. For that reason this reservation does not touch the most important part of this question at all.

"The council shall consist of representatives of the United States of America, of the British Empire, of France, of Italy, and of Japan, together with representatives of four other members of the league. These four members of the league shall be elected by the assembly from time to time in its discretion."

The assembly elects the additional members of the league, and in the assembly, notwithstanding the reservation of the Senator from North Dakota, the 6 votes of Great Britain will remain and remain uncontrolled and undirected, and the power which will direct the governing body of this league will have in it a representation composed of one member from the United States and six from Great Britain. The Senator from North Dakota does not propose to change that at all. If you give the assembly control of the membership, the power to select and to elect the members of the council or the members who may constitute the council, it will be of very little service to the United States to have a reservation to the effect that disputes shall be protected by equal votes.

Furthermore, Mr. President, it will be observed that this is one of the clauses in which less than unanimous consent is necessary in order to elect. I also call attention to article 5, which provides:

All matters of procedure at meetings of the assembly or of the council, including the appointment of committees to investigate particular matters, shall be regulated by the assembly or by the council—

By the body of delegates or by the executive council—

and may be decided by a majority of the members of the league represented at the meeting.

The Senator from North Dakota does not propose to remedy that; and yet the appointment, under article 5, of the investigating committees which will take up and consider and present either to the council or the assembly or to the world the vital questions coming before this body or any different bodies of the league may be controlled and directed by a mere majority vote, and of that majority Great Britain will have six and the United States one.

The fountain source of authority the Senator from North Dakota does not touch. He leaves Great Britain to direct the affairs of the league as completely with the reservation as she would without the reservation.

Mr. McCUMBER. Mr. President, I think it fair to the Senate and to the Senator to say that the reservation which he read was not the reservation which I have offered at all.

Mr. BORAH. The reservation I read is the reservation which is in the printed leaflet as offered by the Senator from North Dakota. Has the Senator his reservation there?

Mr. McCUMBER. It is a different one.

Mr. BORAH. Let me have it as it has been presented. I will read it, but I apprehend that it has not been improved in respect to matters of which I have spoken. [Reading:]

That the United States understands and so construes the provisions of the covenant of the league of nations that when the case referred to the council or the assembly involves a dispute between one member of the league and another member whose self-governing dominions, colonies, or parts of empire are also represented in the body to which the case is referred, or involves a dispute between one member and any such dominion, colony, or part of empire, both the disputant members, including the dominion or principal country and all its said dominions, colonies, and parts of empire, are to be excluded from voting upon any phase of the dispute.

That does not change the proposition one particle. The Senator's reservation depends for its life entirely upon the question of there being a dispute. He does not touch the question of electing the membership, of controlling the membership, either of the assembly or of the council or of the league. He leaves Great Britain absolutely to control both these bodies as completely as he did under the reservation which he first offered. Upon the point I make there is no difference in the two reservations in the practical working.

Mr. LENROOT. Mr. President, the difficulty of the pending proposition is that it is not a reservation at all. It is an amendment. The distinguished Senator from California [Mr. JOHNSON] seems to be of the opinion that an amendment may be transformed into a reservation by changing its title; but the Senator from California about 10 days ago, when this same matter was up, made the statement that full equality between the British Empire and the United States could not be insured by any reservation, and he was correct, and that was why I voted for his amendment, because it did cover some things that could not be covered by any reservation. While this is denominated a "reservation," it is really an amendment; and I do not propose to inject into the series of reservations what is really an amendment, especially as the Senator from California will have another opportunity, when we go from the Committee of the Whole into the Senate, to offer this very proposition as an amendment.

I am sure that the distinction between reservations and amendments must be clear to the Senate. An amendment may have the effect of a reservation. Illustrative of that are most of what are known as the Fall amendments, the effect of which was wholly as reservations, because they merely took the United States out of that portion of the treaty. An illustration of an amendment was, for instance, inserting the word "China" for "Japan." Does the Senator from California say that we could properly accomplish by a reservation the transference of Shantung from Japan to China?

This so-called reservation is not a reservation at all, but is an amendment, because it increases the number of votes that the United States shall have under the treaty; it changes the terms of the treaty; it affects all of the parties to the treaty; while a reservation merely amounts to a ratification in part, and says that the United States by reservation does not agree to this part or that part or the other part of the treaty. No reservation, however, can properly in any way affect the terms of the treaty so far as granting to the United States additional rights is concerned or changing the rights of the parties. So that this so-called reservation has no business here, because it is not a reservation; and the Senator will have an opportunity before the day is over, I hope, to offer this very proposition as an amendment, where it belongs.

Upon the merits of the matter I am not going to say any more than this: I stated the other day that the Senator's amendment did cover some things that my reservation did not, and that, in my judgment, no reservation could cover, and also that it did not cover some things of the most vital interest to the United States that the reservation did cover. The pending amendment, denominated a reservation, does protect the United States, if adopted, in two classes of disputes, but it still leaves the United States unprotected in a third class of disputes. It protects the United States where the United States and the British Empire are parties; it protects the United States where the United States is a party to a dispute with some nation other than the British Empire, although, as the Senator from Michigan stated, even in that event it would give to the British Empire 1 vote, apparently, where the United States was a party, but would give to the United States 6 votes where the British Empire was a party. But take the case of a dispute between China and Japan, for instance, or between Bulgaria and Greece. Under this amendment of the Senator from California, the British Empire would have 6 votes, and the United States would still have 1 vote, and that defect is not cured; while the reservation that I shall offer, if this substitute is defeated, provides that—

The United States assumes no obligation to be bound by any decision, report, or finding of the council or assembly in which any member of the league and its self-governing dominions, colonies, or parts of empire in the aggregate have cast more than one vote, and assumes no obligation to be bound by any decision, report, or finding of the council or assembly arising out of any dispute between the United States and any member of the league if such member, or any self-governing dominion, colony, empire, or part of empire united with it politically has voted.

In other words, the United States will not be bound by anything done by this league of nations wherever the British Empire and all its colonies have cast in the aggregate more than one vote; nor will it be bound by anything that may be done, where we are parties to a dispute with them, where any of them have voted at all.

Mr. THOMAS. Mr. President, I shall support the reservation offered by the Senator from North Dakota. My reasons were stated at some length earlier in this discussion. I am not at all convinced that the disproportion of 6 votes to 1 will exist in this league if the treaty shall be adopted and the league become effective, as has been so frequently stated and reiterated upon this floor.

Mr. President, much of the apprehension voiced upon this floor with regard to the practical working of the league through the disproportion claimed rests upon the assumption of an irreconcilable antagonism between the interests of the British Empire and those of the United States and that such antagonism will be powerfully promoted, to our undoing, by this preponderant arrangement. In my judgment very few disputes will arise or differences obtain wherein the interests of the dominions of Great Britain or of the British Government itself will differ very materially from our own; and I am sure that as to all matters affecting the Western Hemisphere the interests and the policy of the Canadian Dominion and of New Zealand and Australia will be practically identical with ours. We can conceive of possible differences arising between the United States and some oriental power, but it is impossible to conceive that they should eventuate upon any other than issues which affect the whole Western Hemisphere in common with the Australasian Dominions. Let me add that if Great Britain were disposed to be capricious she might with a consistency fully equal to our own point her finger at the fact that the United States could, if she would, control the votes of four of her own dependencies—for that is what they are—and by that means counterbalance any disproportion charged against her in the balance of the league.

Cuba is protected by the United States. Panama is an offspring of this country, and not a very creditable offspring at that. The Governments of Guatemala and Haiti rest upon the bayonets of the United States marines, whose withdrawal would be followed by their collapse. Now, I do not for a moment admit that the United States would even indirectly seek to utilize the influence that it thus possesses; but I can well understand how in this conflict between the nations the charge could be made, and justly made, that here, too, is a potential disproportion, the balance swinging in favor of the United States and against the other members of the league. If the Government of the United States or that of any of the other allied and associated powers were possessed of independent dominions, like those owing allegiance to the British Crown, there is no question but that the same representation would be given them. But, Mr. President, England is the only colonizing country so mindful of her own welfare and that of her dependencies as to give them that independent status which requires all nations to recognize their status as independent communities.

Mr. McCORMICK. Mr. President, will the Senator yield for a single question?

Mr. THOMAS. I would yield if I had the time, but under the circumstances I am obliged to decline.

Much has been said here, too, about England's supremacy upon the seas. She has it, and it is well for civilization in the recent crisis which it has confronted that she had and maintained that supremacy, for without the British fleet we to-day might be subject to the German Empire, and surely without it the Allies could not have held out against the fearful power of Germany until America came to the rescue and finally determined the struggle. In these times when we are so critical of our associates we should scarcely overlook the tremendous services to civilization and to the world which the great Empire of Great Britain furnished in that supreme moment of the world's history, when the liberties of mankind were trembling in the balance.

Nor should we overlook the equally important fact that the British fleet was for years the chief bulwark of the Monroe doctrine. England's approval of that policy was manifest at its announcement, through the period of its struggling growth toward adolescence, and in the days of its full fruition. She sometimes disregarded it when her own affairs were involved,

which I do not defend, but she never challenged our right to exercise it.

Mr. President, let me say, before I resume my seat, that my experience in this open executive session has cured me completely of my former advocacy of them while considering treaties, for we have upon this floor openly and frequently spoken in terms of contempt and bitter criticism, sometimes of denunciation, of nearly all of the other great countries of the world; so flagrantly, Mr. President, that if conditions were reversed and the same practice had manifested itself toward us upon the floor of the House of Commons, or in the French Chamber of Deputies, or in the Japanese Parliament, this body would have been the first to have denounced and resented it.

Such conduct, Mr. President, is not becoming in a dignified body like this. It partakes little of that consideration which great and friendly nations should manifest toward each other. No good can come from it; much injury may result. It would have been far better, in my judgment, had our consideration of the treaty been behind closed doors. Our fathers were far wiser than we sometimes think. The safeguards which they erected for the due operation of the machinery of representative government are the best that could have been devised. Experience has nearly always demonstrated their efficiency, and we can not depart from them with safety or decorum.

I shall vote, Mr. President, for the reservation offered by the Senator from North Dakota [Mr. McCUMBER]. It covers the situation fully, furnishes ample protection against any possible emergency that may arise, offends no one, and meets every contingency which may overtake the operation of the league.

Mr. JOHNSON of California. Mr. President, I can not permit to remain unchallenged the remarks of the Senator from Wisconsin [Mr. LENROOT]. He is wholly in error in his conception of the possibilities or the extent of the reservation which I have offered. He insisted that it did not cover a particular case that he related.

I will not go into details now because of the lack of time and opportunity. But I call to the attention of those who are interested in it, first, that in the very beginning of this reservation it contains the clause "anything in the covenant of the league of nations and the treaty to the contrary notwithstanding" and then follows our right to equal representation and voting power. Then, upon the second page, it provides as well:

Except when a party to a dispute, the United States shall have votes in the council and the assembly and in any labor conference or organization under the league or treaty numerically equal to the aggregate vote to which any such member of the league and its self-governing dominions and colonies or parts of empire are entitled.

Thus answering completely what was said by the Senator from Wisconsin concerning its ineffectiveness in the case that he illustrated.

I am not wholly able to understand the position of the Senator from Wisconsin. Perhaps that is a matter entirely of indifference. He made two speeches against two amendments that I offered, and he voted for the amendment in each instance. If I were able to construe the speech he has just made in opposition to the reservation and his vote were to be the same, I would not have any quarrel with him, nor would I, indeed, say aught more concerning it, because, after all, I take it that the vote that a Senator casts is the controlling factor and is the thing which is to be most desired in the case of an amendment so important as is this particular amendment.

Mr. LENROOT. Mr. President, evidently the distinguished Senator from California, after he concluded his speech the other day, did me the honor of listening only to a very small portion of mine. Of that I do not complain. Therefore the Senator from California did not understand the argument that I made at that time, showing wherein the United States was not protected in the respect that he insisted it was protected, and also showing wherein his amendment did give the United States a voting power where reservations could not—and I plainly stated that I voted for it because of that fact—and I am surprised that the Senator from California should get up now, without either hearing the speech or reading it—and he could not have done either to have made the statement that he did—and make the statement that he has just now made.

I have been perfectly consistent, Mr. President, in voting for his amendment, and perfectly consistent in showing—as, I think, I showed to the satisfaction of the Senate—that his amendment did not protect the United States in important particulars. As a corroboration of that, since that speech was made the Senator from California himself has changed his amendment to meet one of the objections that I then made.

Mr. JOHNSON of California. Is the Senator for or against the reservation now?



Mr. LENROOT. I am against this reservation; but I want to say to the Senator that if he will offer it in the Senate again, I will vote for it as an amendment, as I did before. But I do not propose with my vote to inject amendments into reservations, because they are not reservations.

Now, I want to say another word. The Senator from California asserts that I was entirely mistaken when I said that in one class of cases his amendment would not protect the United States. He read me the amendment wherein the United States is to have a vote equal to that of any other member having self-governing colonies. Does the Senator from California insist, then, that where the United States is a party to the dispute it shall vote?

Mr. JOHNSON of California. Of course not.

Mr. LENROOT. Of course not.

Mr. JOHNSON of California. The Senator from Wisconsin knows that full well. I have said it again and again and again and again.

Mr. LENROOT. Very well. But a little later, where the treaty says that the United States shall not vote because it is not one of the "other members of the league," the Senator from California then insists that we will vote.

Mr. JOHNSON of California. Because we specifically provide in this reservation that we shall vote.

Mr. LENROOT. Only where we had a vote, because otherwise the Senator from California must have the United States voting where it is a party to the dispute.

Mr. JOHNSON of California. By no means. We are given the right to vote when not a party to the dispute, exactly as Great Britain is given the right to vote.

Mr. LENROOT. I am sorry the Senator from California can not see what I am sure every other Senator must see, that we are given an equal number of votes with Great Britain only where we are entitled to vote. Does the Senator concede that?

Mr. JOHNSON of California. The reservation gives us the right—

Mr. LENROOT. Does the Senator concede that?

Mr. JOHNSON of California. Oh, no, no.

Mr. LENROOT. Mr. President, I am speaking now in my own time—

Mr. JOHNSON of California. If the Senator is going to ask questions of me in his own way, he is going to get answers in my way.

Mr. LENROOT. Very well. I asked the Senator a courteous question. He may reply or not, as he chooses. The Senator must take the position either that the United States has a vote when it is a party to the dispute or it has no vote whenever the treaty says it shall have no vote. Which is the correct construction? In that case the United States has only 1 vote as a member of the council in the case of a dispute between Bulgaria and Greece.

Mr. JOHNSON of California. Mr. President, I can only reiterate that under the terms of the reservation that is absolutely without foundation. The difficulty with the Senator is that—

He could distinguish and divide  
A hair 'twixt south and southwest side—

and he has been indulging in that kind of argument.

Mr. TOWNSEND. Mr. President, a parliamentary inquiry. Is it in order to divide a reservation, if the question is divisible?

The VICE PRESIDENT. The Chair thinks that if it is a divisible question, it can be divided.

Mr. TOWNSEND. Mr. President, I am so much in favor of the principles outlined by the Senator from California [Mr. JOHNSON] that I wish to vote for the first part of his reservation; but I am satisfied that the last eight lines present a situation which is absolutely untenable. What we are trying to do is to put the United States on an equality with the most favored nation in the league. I think his reservation does that generally. But the last paragraph makes a provision whereby the United States will have a preference and an advantage over the most favored nation in the league under certain circumstances; that is, where the United States is a party and Great Britain is not, Great Britain has but 1 vote. But reverse it; if Great Britain is a party and the United States is not, then the United States may have 6 votes.

Mr. JOHNSON of California. No; it says the same number.

Mr. TOWNSEND. The same number as Great Britain is 6 votes. In order that we may vote for the first part of this reservation, I am asking for a vote on all the reservation except the last paragraph.

Mr. REED. Mr. President, I referred a moment ago to a letter of a distinguished Englishman. I have it now, and I would like to read an extract from it. This is a copy of the letter. The name of the author of the letter is withheld, but

it is sent to me in a letter by Judge John D. Lawson, formerly a Canadian, who was for many years the dean of the Missouri State University Law School, and who is a distinguished author of textbooks on various branches of the law. He states to me his reasons for not giving the name of the author of the letter, but says:

The writer is a man of title, a former governor of an English colony, and an international lawyer and writer of distinction.

I now quote from that gentleman's letter:

We in England have recognized that Canada, Australia, New Zealand, South Africa, and India are nations in partnership and not in subjection to England. I think America might do the same whilst claiming for herself 5 votes as representing the Eastern, Southern, Western, Middle Western, and the old mission States, or any other division you like to make, but don't, I entreat you, disfranchise Australia or Canada whilst giving Haiti a vote.

There is much more of the letter of great interest, in which he discusses the humiliation it would put upon Australia to be denied a vote while a vote is given to the inferior States of the world. I offer it because it shows the British view, at least the view of this one great Englishman, who recognizes the justice of America having a vote equal to the vote of the British Empire.

The other matter I want to put in is the statement of the editor of the London Daily News, which reads in part:

Mr. Gardiner indorsed Senator REED's contention that as the covenant is now drafted, in case of an Anglo-American dispute, Britain would be able to cast more votes than America.

In the rest of the article he admits the justice of that contention, and that the wrong ought to be rectified. I ask leave to put that in without read the entire article.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

LONDON, September 27.

Admitting that the present draft of the league of nations covenant now empowers the Empire to outvote the United States, A. G. Gardiner, editor of the London Daily News, to-day advocated an amendment stipulating expressly that when one section of Great Britain be involved in a matter, all other sections be prevented from voting.

Mr. Gardiner indorsed Senator REED's contention that as the covenant is now drafted, in case of an Anglo-American dispute, Britain would be able to cast more votes than America.

The editor is one of the strongest of British proponents of the league of nations and has been a staunch supporter of President Wilson.

SAYS BRITAIN WOULD AGREE TO CHANGE.

"If asked to accept such an amendment I am sure the British people willingly would do so," Gardiner said. "The spirit of the covenant certainly contemplates the British Empire as a unit. But it forgets to specify this, probably because the omission never came to the attention of the peace conferees. Now that the issue has been raised, however, it will not be difficult to make the wording conform to the spirit and to eliminate America's cause for fear. Perhaps the wording could be changed without resubmitting the covenant to the nations concerned if Great Britain, as the interested party, would request the change."

"Although the intention of the conferees obviously was not to give the British Empire more votes than the United States, the text of the covenant justifies Senator REED's assertion. He believes that in case of a dispute between the United States and one section of the Empire the other section would be sitting in judgment on the matter. Personally I think it is debatable how much the scale would be loaded. I readily understand the American concern in the matter and recognize it is a real objection which should be met; perhaps the best way would be to insert a ruling in the covenant specifically covering this exigency."

Mr. REED. So, Mr. President, I can only take a second of my time. Here is the English concession of the injustice of the position that Great Britain shall have six votes and we but one. It seems to me now that if a reservation is offered we ought to adopt the one which comes nearest giving us a complete equality.

Mr. TOWNSEND. Mr. President, I ask that a separate vote be had upon all the reservation except the last paragraph.

The VICE PRESIDENT. The question then will be upon agreeing to the reservation offered by the Senator from California [Mr. JOHNSON], except the last paragraph.

Mr. TRAMMELL. Mr. President, I shall take only a moment to present my views on the proposed reservation. It is my opinion that Members of the Senate are almost of one mind and one purpose as far as making it plain that it is not the desire of the Senate that Great Britain and her independent colonies shall have any greater vote or any greater power in the assembly of the league of nations than the United States.

Two plans have been proposed by which we may accomplish our object of preventing Great Britain from having any such advantage—one that of the Senator from California [Mr. JOHNSON], in which he proposes that this Nation shall have six votes whenever Great Britain and her colonies exercise the right of casting such a number of votes. Naturally it appeals to every patriotic American who loves his country that this Nation should have the same privilege as Great Britain.

If I did not consider that this reservation was really an amendment to the text, because it prescribes entirely a new system of voting and gives different representation to this Nation, I should gladly support the reservation offered by the Sen-

ator from California. If it is an amendment to the text—and I believe it is—it would probably defeat the league of nations entirely; this I do not want to do. I think, also, that it would not be treating France, Italy, and other nations quite fairly to add an additional wrong by giving the United States six votes, the same number that Great Britain would have upon certain questions, unless they were given the same increase of votes.

Believing that this is unquestionably an amendment to the text, I propose to support the amendment offered by the Senator from Wisconsin [Mr. LENROOT]. As I consider his reservation, it will absolutely protect the United States against any decision or any conclusion that may be rendered where Great Britain and her independent colonies exercise the right of more than one vote. This being true, with this kind of a reservation, the interests of the United States are absolutely safeguarded if at any time Great Britain should see proper, with her independent colonies, to act in a way detrimental and unfair to the interests of our Republic.

I prefer the reservation offered by the Senator from Wisconsin [Mr. LENROOT] to that offered by the Senator from North Dakota [Mr. McCUMBER], because the reservation offered by the Senator from North Dakota only reaches to the extent of questions where there are disputes between the United States and Great Britain or some of her colonies. This would leave Great Britain to exercise her six votes upon a question of policy and upon other matters that may come up wherein the United States was not directly interested, and yet was interested in a general way as far as the question of policy might be concerned.

I feel that the reservation which will best protect the interests of the United States without adopting a textual amendment is the reservation offered by the Senator from Wisconsin [Mr. LENROOT]. I propose to support his reservation and will therefore of necessity have to vote against the reservation offered by the Senator from California.

Unquestionably the treaty and the covenant of the league of nations is going to be adopted only with reservations. It is well established that the dream and the hope, if there could have been such, that it was going to be adopted without reservations has long since vanished and is no longer even a faint hope by anyone. Therefore, if we are going to adopt, and we will adopt, some reservations, I am heartily in favor of adopting the reservation which will safeguard the American interests in all matters where Great Britain and her colonies may see proper from selfish or other reasons to cast their six votes to the detriment of our own country. I am heartily in favor of the league of nations, but do not believe in permitting America's interests to be put in peril. I am heartily in sympathy with the object and purpose of the reservation offered by Mr. LENROOT, which is as follows:

The United States assumes no obligation to be bound by any election, decision, report, or finding of the council or assembly in which any member of the league and its self-governing dominions, colonies, or parts of empire, in the aggregate have cast more than one vote, and assumes no obligation to be bound by any decision, report, or finding of the council or assembly arising out of any dispute between the United States and any member of the league if such member, or any self-governing dominion, colony, empire, or part of empire united with it politically has voted.

Mr. POINDEXTER. Mr. President, admiring as I do the high patriotic purpose of the Senator from Florida [Mr. TRAMMELL] upon this vote to protect the interests and the influence of the United States in the decisions of the league of nations, I can not refrain from pointing out before the vote is taken, especially for the consideration of the Senator from Florida, that the reservation that has been proposed by the Senator from Wisconsin [Mr. LENROOT], which the Senator from Florida says will accomplish the purpose which he has in view of putting the United States upon an equality in the league of nations with any other power, does not have that effect and does not purport to have any such effect.

All that is provided by the reservation proposed by the Senator from Wisconsin is that in a vote in the assembly of the league of nations or in the council, where another power casts more votes than are cast by the United States, the United States shall not be bound by the decision. It does not provide that every other nation in the world is not bound by the decision. The reservation of the Senator from Wisconsin still leaves it so that in a dispute, for instance, between China and Japan, a dispute which affects the welfare of the entire world, perchance, and in which the United States and Great Britain are interested, Great Britain will cast 6 votes in the assembly and Great Britain will have 18 delegates in the assembly, whereas the United States will cast but 1 vote and have but 3 delegates.

So as to a dispute between any other two powers in the world, however great an interest the United States might have in the

dispute, the United States not being a party to the dispute and Great Britain not being a party to the dispute, Great Britain will still have, in the influence which she will exert upon the politics and the diplomacy of the world, the advantage of six times as much power as the United States in the decision of the dispute.

Mr. LENROOT. Will the Senator yield?

Mr. POINDEXTER. Certainly.

Mr. LENROOT. I wish to ask the Senator whether he realizes that the so-called Johnson reservation leads exactly to that same situation?

Mr. POINDEXTER. I disagree entirely with the Senator from Wisconsin in that construction of the Johnson reservation. I should like to see the last paragraph of the reservation of the Senator from California stricken out. The first section of the reservation of the Senator from California provides specifically that in the assembly and in the council the United States shall have an equal number of votes with any other power, thereby as plainly as it possibly can be done putting this country upon an equal footing with any other power.

The VICE PRESIDENT. The question is on the so-called reservation of the Senator from California [Mr. JOHNSON] except the last paragraph.

Mr. McCORMICK and Mr. BORAH called for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. KENDRICK (when his name was called). I transfer my pair with the senior Senator from New Mexico [Mr. FALL] to the senior Senator from Texas [Mr. CULBERSON] and vote "nay."

The roll call was concluded.

Mr. CURTIS (after having voted in the affirmative). Has the junior Senator from Rhode Island [Mr. GERRY] voted?

The VICE PRESIDENT. He has not.

Mr. CURTIS. I have a pair with that Senator, and therefore withdraw my vote.

The result was announced—yeas 43, nays 46, as follows:

#### YEAS—43.

Ball	Gore	McLean	Sherman
Borah	Gronna	Moses	Shields
Brandegee	Harding	New	Smoot
Calder	Johnson, Calif.	Newberry	Spencer
Capper	Jones, Wash.	Norris	Sutherland
Cummins	Kenyon	Page	Townsend
Dillingham	Kirby	Penrose	Wadsworth
Elkins	Knox	Phelan	Walsh, Mass.
Fernald	La Follette	Phipps	Warren
France	Lodge	Poinexter	Watson
Frelinghuysen	McCormick	Reed	

#### NAYS—46.

Ashurst	Hitchcock	Nugent	Smith, S. C.
Bankhead	Johnson, S. Dak.	Overman	Stanley
Beckham	Jones, N. Mex.	Owen	Sterling
Chamberlain	Kellogg	Pittman	Swanson
Colt	Kendrick	Pomerene	Thomas
Dial	Keyes	Ransdell	Trammell
Fletcher	King	Robinson	Underwood
Gay	Lenroot	Scheppard	Walsh, Mont.
Hale	McCumber	Simmons	Williams
Harris	McKellar	Smith, Ariz.	Wolcott
Harrison	McNary	Smith, Ga.	
Henderson	Nelson	Smith, Md.	

#### NOT VOTING—6.

Culbertson	Edge	Gerry	Myers
Curtis	Fall		

So the first part of the reservation of Mr. JOHNSON of California was rejected.

The VICE PRESIDENT. The question now is on the concluding paragraph of the reservation of the Senator from California [Mr. JOHNSON].

Mr. JOHNSON of California. A parliamentary inquiry, Mr. President. Does the vote now come merely upon the concluding paragraph of the reservation?

The VICE PRESIDENT. That is all.

Mr. JOHNSON of California. And not upon the entire reservation, including the concluding paragraph?

The VICE PRESIDENT. No. The reservation has been divided. Senators had a right to have it divided under the rules, and the vote now will be taken on the concluding paragraph of the reservation.

Mr. JOHNSON of California. So far as I personally have the power, I should not ask a vote upon the concluding paragraph at all.

The VICE PRESIDENT. The Senator can withdraw it.

Mr. JOHNSON of California. Then I withdraw it, with the right subsequently in the Senate again to present the entire reservation.

The VICE PRESIDENT. The Senator has that right anyway.



Mr. JOHNSON of California. I shall avail myself of it.

The VICE PRESIDENT. Then the reservation is withdrawn.

Mr. LENROOT. I offer the substitute for the reservation of the Senator from North Dakota [Mr. McCUMBER], which I send to the desk.

The VICE PRESIDENT. The Secretary will read the substitute proposed by the Senator from Wisconsin.

The SECRETARY. In lieu of the reservation proposed by Mr. McCUMBER it is proposed to insert the following:

The United States assumes no obligation to be bound by any decision, report, or finding of the council or assembly in which any member of the league and its self-governing dominions, colonies, or parts of empire in the aggregate have cast more than one vote, and assumes no obligation to be bound by any decision, report, or finding of the council or assembly arising out of any dispute between the United States and any member of the league if such member, or any self-governing dominion, colony, empire, or part of empire united with it politically has voted.

Mr. LENROOT. Mr. President, I discovered just about half an hour ago that there was an omission in the amendment as drawn by me of the word "election" after the word "any," and I ask unanimous consent that that word may be inserted.

The VICE PRESIDENT. Is there any objection?

Mr. HITCHCOCK. Mr. President, if that consent is granted, I could ask that permission to correct all typographical errors of a similar sort should be granted on request.

Mr. BRANDEGEE. I hope the Senator will ask that. It is only fair.

Mr. HITCHCOCK. Mr. President, will the Senator from Wisconsin please again state his request, so that I may understand what it is?

Mr. LENROOT. The amendment as originally drawn contained the word "election." I redrafted the amendment for another purpose, not intending to change that part, and have just discovered that the word "election" was omitted after the word "any."

The VICE PRESIDENT. In what line?

Mr. LENROOT. After the word "any," at the end of line 1.

The VICE PRESIDENT. The modification of the amendment proposed by the Senator from Wisconsin will be stated by the Secretary.

The SECRETARY. At the end of line 1, after the word "any," it is proposed to insert the word "election."

Mr. HITCHCOCK. I believe I will withdraw my request, as there may be some other changes to which we might want to object. I have no objection in this case.

The VICE PRESIDENT. Is there objection to the modification of the amendment of the Senator from Wisconsin by inserting the word "election"? The Chair hears no objection.

Mr. LENROOT. Mr. President, this reservation, if adopted, will relieve the United States of any obligation to be bound by any election, decision, report, or finding of the council or assembly in any case where any member having self-governing dominions or colonies shall have in the aggregate cast more than one vote. That is the first part of the reservation.

Mr. THOMAS. Mr. President—

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Colorado?

Mr. LENROOT. I yield for a question.

Mr. THOMAS. Suppose that three of such votes should be upon one side and the remaining three upon the other side on the particular proposition or dispute, would the Senator's reservation cover that situation?

Mr. LENROOT. It would completely cover it. In any case where the British Empire, for instance, has cast more than one vote in the aggregate, we will not be bound by any decision in the matter.

Mr. THOMAS. Then, if three votes or more than three votes or any number of the six votes should be cast in favor of the interests of the United States in any dispute, we would still have to reject the decision?

Mr. LENROOT. We still would not be bound by it. The effect of it is simply that if the British Empire desires to have the United States bound by any action taken, it will refrain from casting in a particular instance more than one vote. That is all there is to it; and to that extent, if they wish to bind us, they can not cast more votes than we can cast.

Mr. KNOX. Is it optional upon the part of the United States under the reservation to be bound or are we simply automatically not bound?

Mr. LENROOT. We assume no obligation to be bound, and, of course, we would not be bound unless we expressly assumed the obligation later on. However, I am not going to take further time upon that part of it. I think it is very clear to every Member of the Senate that this reservation accomplishes, so far as protecting the United States is concerned, the full purpose of equality of voting however it may have been proposed.

The last part of the reservation takes care of the proposition of the pending reservation of the Senator from North Dakota providing that in no case where we are a party to a dispute involving any member of the British Empire shall we be bound by the decision if any members of the British Empire have voted at all.

Mr. HITCHCOCK. Mr. President, is the Senator's reservation in effect an amendment involving a change of the treaty?

Mr. LENROOT. It is not in the slightest degree; it merely withholds our consent or ratification to that part of the treaty which could bind us; that is all. We say we will not be bound; we do not assent to that part of the treaty which would otherwise bind us. It is merely a reservation. It has no feature of an amendment, but accomplishes, as I said a moment ago, the full protection of the United States in so far as this treaty would impose any obligation upon the United States through any election, report, finding, or decision of the council or the assembly.

Mr. PHELAN. Mr. President, may I ask the Senator a question before he resumes his seat?

Mr. LENROOT. I have yielded the floor.

Mr. PHELAN. Not to embarrass the Senator, but to justify myself, I wish the Senator would state in what particular his reservation is deficient. I am aware, if the Senate is not aware, that in one case it does not apply at all where the United States might be interested.

Mr. LENROOT. I will be very glad to enlighten the Senator. Suppose a question arises under article 11, where the action is purely advisory and where no finding can be made that will bind anybody, in that case under this reservation we would not have six votes; the British Empire would; we would have one to their six—and that is why I voted for the reservation of the Senator from California [Mr. JOHNSON]—but in any case where the league is given power to bind the United States this reservation will protect us.

Mr. BORAH. In what case is the league given the power to bind the United States unless we voluntarily consent to be bound?

Mr. LENROOT. Under the arbitration and compulsory inquiry provisions.

Mr. BORAH. Exactly; but there we consent; we submit nothing to arbitration which we do not think should be submitted to arbitration.

Mr. LENROOT. But under the compulsory inquiry provisions we are compelled to submit everything that we do not reserve.

Mr. BORAH. Is that the only instance in which the Senator's reservation would operate?

Mr. LENROOT. It would also operate in the case of an election of new members to the council.

Mr. McCORMICK. Mr. President, I should like to ask the Senator from Wisconsin if he is clear that the reservation reaches the appointment of committees?

Mr. LENROOT. Yes; it includes any decision.

SEVERAL SENATORS. Vote!

Mr. McCUMBER. Mr. President, a parliamentary inquiry. If the reservation of the Senator from Wisconsin should be substituted for the reservation proposed by me, would it still be open to amendment?

The VICE PRESIDENT. It must be amended before the substitution is made.

Mr. McCUMBER. Before the substitution is made?

The VICE PRESIDENT. Yes.

Mr. McCUMBER. Very well. Then, for the purpose of perfecting it, I offer an amendment to add at the end of the reservation proposed by the Senator from Wisconsin as a substitute the words "unless upon the submission of the matter to the council or assembly for decision, report, or finding the United States consents that the said dominions, colonies, or parts of empire may each have the right to cast a separate vote upon the said decision, report, or finding," and I shall include "election" also.

The purpose of that is perfectly clear. I can not see why there should be an objection to it.

Mr. WALSH of Montana. Mr. President, a parliamentary inquiry.

Mr. McCUMBER. I have not much time. If the Senator desires to speak in my time, I only have a few minutes left.

Mr. WALSH of Montana. I rise to a parliamentary inquiry.

The VICE PRESIDENT. A parliamentary inquiry does not come out of the Senator's time.

Mr. WALSH of Montana. I inquire whether the reservation tendered by the Senator from Wisconsin is subject to amendment. I made similar inquiry quite early in the proceedings, an amendment being tendered by the Senator from California, and I understood the Chair to rule that it would not be subject to amendment.

The VICE PRESIDENT. The Chair ruled at that time that it was not amendable by new matter, and it is not amendable now by new matter; but the Chair understands the Senator from North Dakota is proposing as an amendment an amendment which he has already proposed.

Mr. McCUMBER. And an amendment which has been printed and read.

The VICE PRESIDENT. It has been read and printed.

Mr. WALSH of Montana. It does not occur to me that that changes the situation at all, Mr. President. A reservation which has already been presented, read, and printed can be offered as a separate reservation undoubtedly, but not as an amendment to a pending reservation, because the effect of it in connection with the reservation offered by the Senator from Wisconsin, for instance, may be entirely different from the effect of it if it stood alone.

The VICE PRESIDENT. It can be voted down.

Mr. BRANDEGEE. Mr. President, on the point of order suggested by the Senator from Montana, if I may be permitted to make an observation, I should like to say that it seems to me that the suggestion made by the Senator from Montana is correct, because if out of the mass of different reservations which have been proposed, each of which is complete in itself, any Senator is at liberty to extract a paragraph and then propose it to another reservation, it would become an entirely novel proposition which had not been submitted according to the rule.

The VICE PRESIDENT. The Chair has not ruled that he can extract a paragraph.

Mr. BRANDEGEE. Or a sentence; I mean anything which changes the reservation which was sent to the desk and printed in order to bring it within the cloture rule. If that can all be changed by different sentences extracted from different amendments, or parts of amendments, it seems to me that the provision of the cloture rule that they can not be amended is without force and violated.

The VICE PRESIDENT. The Chair has not so ruled.

Mr. BRANDEGEE. I did not mean to intimate that the Chair had.

The VICE PRESIDENT. The Chair is ruling in this way: When the Senator from Montana made his inquiry it was with reference to an amendment which was not printed. The matter stands now substantially under the rule of striking out and inserting. The Senator from North Dakota has offered an amendment. The Senator from Wisconsin is practically moving to strike out the amendment of the Senator from North Dakota and to insert his own. Each, in accordance with the view of the Chair, is amendable by an amendment that has been heretofore presented and read to the Senate.

The Chair assumes that this is an entire amendment that the Senator from North Dakota is proposing to attach. If it is a part of an amendment, the Chair rules it out of order.

Mr. REED. Mr. President—

Mr. McCUMBER. So as to make the matter clear, let me call attention to the fact that in submitting it for printing I stated that I would offer it as an amendment to the reservation offered by the Senator from Wisconsin. I say that so as to make it clear that I am not extracting, as the Senator states.

The VICE PRESIDENT. It is clearly in order.

Mr. WALSH of Montana. In view of the statement made by the Senator from North Dakota, I withdraw any objection.

Mr. McCUMBER. Mr. President, I want to take just a minute to state the reasons.

I have no particular objection to the way in which the Senator from Wisconsin has formulated his reservation. The objection, and the only objection, that I can urge to it is this: That it allows the United States to go into the conference, permit the matter to be tried out, take part in it, and, when it is finally decided, then the United States can say it will not be bound by it. Under this reservation the United States will not be bound unless, as I have stated here, upon the submission of the matter to the council or the assembly for decision, report, or finding, the United States has consented that these dominions and colonies may cast a vote. In other words, it is incumbent upon the United States, when the matter is submitted, and when she goes into the conference, to say whether she will be bound or whether she will not. She must say that at the time of its submission.

That is all this amendment does, and it simply places us in an honorable position.

Mr. REED. Mr. President, a parliamentary inquiry. There was some confusion, and I did not quite understand the ruling of the Chair. Did the Chair rule that the Senator from North Dakota could offer this amendment now—that it was in order to offer it?

The VICE PRESIDENT. To the amendment of the Senator from Wisconsin. The Senator from North Dakota gave notice that he would, and had it read and printed.

Mr. REED. That is the point I wanted to get at.

The VICE PRESIDENT. The Senator gave notice that he would, and had it read and printed.

Mr. REED. If he did that, clearly he has the right to offer it now. I admit that.

Mr. PHELAN. Mr. President, I ask that the Secretary may state the substitute as proposed to be amended.

The VICE PRESIDENT. The Secretary will state the substitute as proposed to be amended.

The SECRETARY. At the end of the proposed substitute of the Senator from Wisconsin it is proposed to add the following words:

Unless upon the submission of the matter to the council or assembly for decision, report, or finding, the United States consents that the said dominions, colonies, or parts of empire may each have the right to cast a separate vote upon the said election, decision, report, or finding.

Mr. McCUMBER. I wish the Secretary would read it as it would stand amended.

The SECRETARY. So that, if amended, it would read:

The United States assumes no obligation to be bound by any election, decision, report, or finding of the council or assembly in which any member of the league and its self-governing dominions, colonies, or parts of empire, in the aggregate have cast more than one vote, and assumes no obligation to be bound by any decision, report, or finding of the council or assembly arising out of any dispute between the United States and any member of the league if such member, or any self-governing dominion, colony, empire, or part of empire united with it politically has voted, unless upon the submission of the matter to the council or assembly for decision, report, or finding, the United States consents that the said dominions, colonies, or parts of empire may each have the right to cast a separate vote upon the said election, decision, report, or finding.

Mr. LODGE. Mr. President, the addition which is moved appears to be part of an amendment offered, and not the whole amendment.

The VICE PRESIDENT. It is the whole amendment. The Senator gave notice of it.

Mr. LODGE. It is the whole amendment?

The VICE PRESIDENT. It is the whole amendment. The Senator gave notice that he would offer it as an amendment to the amendment of the Senator from Wisconsin and had it read.

Mr. LODGE. It is very destructive.

Mr. PHELAN. Mr. President, the effect of that will be that when the representatives of the United States think it is advantageous that the several colonies shall cast separate votes they will consent. I do not see that it does any harm.

The VICE PRESIDENT. The Chair has trouble enough in ruling on the rules of the Senate, without ruling upon what will happen in the league of nations. [Laughter.]

Mr. TOWNSEND. Mr. President, there is one provision in there about which the question of the Senator from California raised a doubt in my mind, when it refers to the consent of the United States, as to whether it means the consent of the Congress or the consent of the delegate of the United States at the conference.

Mr. LENROOT. Mr. President, with the construction that the Senator from North Dakota has just given, it seems very clear that his amendment ought to be voted down. We ought not to leave the question of obligating the United States upon this inequality of voting to the decision of the representative of the United States upon the council or in the assembly.

Mr. WADSWORTH. Mr. President, do I understand that the Senator from North Dakota has so construed his amendment?

Mr. McCUMBER. No. Of course, we would have to act through the delegate, but I expected that the United States, of course, would have to instruct the delegate.

Mr. WADSWORTH. May I ask the Senator from North Dakota what agency of the United States is to instruct the delegate?

Mr. McCUMBER. We have otherwise provided in our reservations for the appointment of all agencies, and fixing their powers. If we have any power to act it will have to be through the United States Congress.

Mr. McCORMICK. Mr. President, the reservation of the Senator from North Dakota carries out his consistent purpose, manifest during the course of this debate, to confer upon Great Britain, her self-governing colonies, and the subject and abject Empire of India, each a vote, in the aggregate six times the vote of the United States. The amendment, if it should carry, will absolutely defeat the purpose of the reservation presented by the Senator from Wisconsin [Mr. LENROOT].

There is not very much to be said for the reservation of the Senator from Wisconsin. It serves only to protect us from the consequences of our humiliating self-immolation in this Cham-



ber. We are Senators of the United States, not of Italy or of France or of the new-born German Republic. We are Senators of the United States, sitting in Washington, and not of the Dominion of Canada, sitting in Ottawa, not of the Upper Chamber, sitting in Westminster, although to read or to hear our debates sometimes one almost might be deceived upon that point.

Let us at least protect the people of the United States from the consequences of the surrender of their interests by their delegates at Paris. Even if we do that, the question involved in the representation in the assembly, if we enter the league, will not down. We can not put it to rest in this Chamber any more than the Senators by the Missouri compromise could put to rest the question of slavery. We can not be parties to an injustice to the American people, parties to their humiliation, and expect that they will assent to the surrender of their interests to which the Senate consents in this Chamber.

Ah, we may vote to-day in the Senate to surrender the equal rights of America in the assembly of the league if we join in that league, but we can not thus settle the question. The issue will remain moot in the great cities and in the country towns, upon the farms, in the valleys, and on the hillsides, in offices and factories, wherever there are assembled Americans who cherish the honor and the prestige of America. The issue will remain in this country as slavery remained an issue. We are not going to escape it on this floor. We shall meet it at home, in our constituencies, wherever we go. Our action here will serve not to bring accord between the two great English-speaking peoples, but to bring discord between them.

As a member of the Canadian House of Commons, 20 years a member of that body, and 16 years a minister of the Crown, said, "The logic is with the people of the United States. New York is more important to the Union than Canada to the British Empire." So he spoke, not I. Wherever men have discussed this issue voices have been raised—in the French Chamber at Paris, in London, in Westminster, in Ottawa—against this unequal representation. As long as men have tongues in the United States, as long as they believe that the greatest of Republics should have an equal voice with the greatest of Empires, this issue will live. It will either be settled by the British Empire as an act of grace conferring upon the people of the United States the equal suffrages which their own Senators denied them, or the people of the United States, if they are coerced into membership into this league, will seize justice for themselves through their representatives chosen at a future election.

The VICE PRESIDENT. The question is on the reservation offered by the Senator from North Dakota [Mr. McCUMBER] as a substitute for the reservation offered by the Senator from Wisconsin [Mr. LENROOT].

Mr. McCUMBER. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. KENDRICK (when his name was called). Making the same announcement of the transfer of my pair as before, I vote "nay."

The roll call having been concluded, the result was announced—yeas 3, nays 86, as follows:

YEAS—3.		
Fletcher	McCumber	Thomas
NAYS—86.		
Ashurst	Gronna	McLean
Ball	Hale	McNary
Bankhead	Harding	Moses
Beckham	Harris	Myers
Borah	Harrison	Nelson
Brandegge	Henderson	New
Calder	Hitchcock	Newberry
Capper	Johnson, Calif.	Norris
Chamberlain	Jones, N. Mex.	Nugent
Colt	Jones, Wash.	Overman
Cummins	Kellogg	Owen
Curtis	Kendrick	Page
Dial	Kenyon	Penrose
Dillingham	Keyes	Phelan
Edge	King	Phipps
Elkins	Kirby	Pittman
Fernald	Knox	Poindexter
France	La Follette	Pomerene
Frelinghuysen	Lenroot	Ransdell
Gay	Lodge	Reed
Gerry	McCormick	Robinson
Gore	McKellar	Sheppard

#### NOT VOTING—6.

Culberson	Johnson, S. Dak.	Smith, Ariz.	Warren
Fall	Shields		

So Mr. McCUMBER's substitute for the reservation offered by Mr. LENROOT was rejected.

The VICE PRESIDENT. The question now is on the reservation of the Senator from Wisconsin [Mr. LENROOT].

Mr. JONES of Washington. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. KENDRICK (when his name was called). Making the same announcement of the transfer of my pair as before, I vote "nay."

The roll call having been concluded, the result was announced—yeas 55, nays 38, as follows:

YEAS—55.			
Ball	Gore	McLean	Sherman
Borah	Gronna	McNary	Shields
Brandegge	Hale	Moses	Smith, Ga.
Calder	Harding	Nelson	Smoot
Capper	Johnson, Cal.	New	Spencer
Colt	Jones, Wash.	Newberry	Sterling
Cummins	Kellogg	Norris	Sutherland
Curtis	Kenyon	Owen	Townsend
Dillingham	Keyes	Page	Trammell
Edge	Knox	Penrose	Wadsworth
Elkins	La Follette	Phelan	Walsh, Mass.
Fernald	Lenroot	Phipps	Warren
France	Lodge	Poindexter	Watson
Frelinghuysen	McCormick	Reed	
NAYS—38.			
Ashurst	Henderson	Nugent	Smith, S. C.
Bankhead	Hitchcock	Overman	Stanley
Beckham	Johnson, S. Dak.	Pittman	Swanson
Chamberlain	Jones, N. Mex.	Pomerene	Thomas
Dial	Kendrick	Ransdell	Underwood
Fletcher	King	Robinson	Walsh, Mont.
Gay	Kirby	Sheppard	Williams
Gerry	McCumber	Simmons	Wolcott
Harris	McKellar	Smith, Ariz.	
Harrison	Myers	Smith, Md.	

#### NOT VOTING—2.

Culberson	Fall
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So Mr. LENROOT's amendment, in the nature of a substitute, was agreed to.

The VICE PRESIDENT. The question is on agreeing to the reservation as amended.

The reservation as amended was agreed to.

The VICE PRESIDENT. Are there further reservations?

Mr. PHELAN. I offer the following reservation.

The VICE PRESIDENT. The Secretary will read it.

The SECRETARY. Add as a new reservation the following:

Inasmuch as the "14 points," so called, as declared by the President of the United States, were accepted as the basis of peace by all the chief belligerent nations, the sole reservation being the interpretation on the part of Great Britain of the clause relating to the freedom of the seas, the United States reserves the right to interpret the covenant of the league and the treaty of peace in harmony with the principles laid down by the said "14 points," and that it does not consider itself bound to any line of conduct, military or financial, in conflict therewith.

Mr. THOMAS. Mr. President, I rise to a point of order.

The VICE PRESIDENT. The Senator will state his point of order.

Mr. THOMAS. Yesterday we voted upon a similar reservation offered by the Senator from Oklahoma [Mr. OWEN]. The point of order I make is that the Senate has already disposed of the subject.

Mr. PHELAN. The reservation offered by the Senator from Oklahoma, if the Chair will permit me, was of a similar character; but I claim the right to offer a reservation under the rule, which reservation has been read to the Senate.

The VICE PRESIDENT. The reservation offered by the Senator from Oklahoma upon yesterday had to do with the question of self-determination of nations. This one, proposed by the Senator from California, seems to have to do with the self-determination of the United States. The Chair overrules the point of order. The question is on agreeing to the reservation proposed by the Senator from California [Mr. PHELAN].

Mr. McCORMICK. I wish merely to remark that this reservation seems to me to be a profession of virtue when there is none left in it.

Mr. BORAH and Mr. ASHURST. I call for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. KENDRICK (when his name was called). Making the same announcement as before, with reference to my pair with the Senator from New Mexico [Mr. FALL] and its transfer, I vote "nay."

The roll call having been concluded; the result was announced—yeas 12, nays 79—as follows:

YEAS—12.			
Borah	Gronna	McLean	Penrose
Brandegge	Johnson, Calif.	Norris	Phelan
France	La Follette	Owen	Sherman
NAYS—79.			
Ashurst	Calder	Cummins	Edge
Ball	Capper	Curtis	Elkins
Bankhead	Chamberlain	Dial	Fernald
Beckham	Colt	Dillingham	Fletcher

Frelinghuysen	Keyes	Page	Spencer
Gay	King	Phipps	Sterling
Gerry	Kirby	Pittman	Sutherland
Gore	Knox	Poinexter	Swanson
Hale	Lenroot	Pomerene	Thomas
Harding	Lodge	Ransdell	Townsend
Harris	McCormick	Reed	Trammell
Harrison	McKellar	Robinson	Underwood
Henderson	McNary	Sheppard	Wadsworth
Hitchcock	Moses	Shields	Walsh, Mass.
Johnson, S. Dak.	Nelson	Simmons	Walsh, Mont.
Jones, N. Mex.	New	Smith, Ariz.	Warren
Jones, Wash.	Newberry	Smith, Ga.	Watson
Kellogg	Nugent	Smith, Md.	Williams
Kendrick	Overman	Smith, S. C.	Wolcott
Kenyon		Smoot	

## NOT VOTING—4.

Culberson	Fall	Myers	Stanley
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So Mr. PHELAN's reservation was rejected.

Mr. KNOX. Mr. President, I offer the following reservation, proposed on November 6 and read at that time.

The VICE PRESIDENT. The Secretary will read the proposed reservation.

The Secretary read as follows:

*Resolved*, That the Senate of the United States unreservedly advises and consents to the ratification of this treaty in so far as it provides for the creation of a status of peace between the United States and Germany.

*Resolved further*, That the Senate of the United States advises and consents to the ratification of this treaty, reserving to the United States the fullest and most complete liberty of action in respect to any report, decision, recommendation, action, advice, or proposals of the league of nations or its executive council or any labor conference provided for in the treaty, and also the sole right to determine its own relations and duties and course of action toward such league or toward any member thereof, or toward any other nation in respect to any question, matter, or thing that may arise while a member of such league, anything in the covenants or constitution of such league or the treaty of Versailles to the contrary notwithstanding, and also reserves to itself the unconditional right to withdraw from membership in such league and to withdraw from membership in any body, board, commission, committee, or organization whatever set up in any part of the treaty for the purpose of aiding its execution or otherwise, effecting by such withdrawal as complete a release of any further obligations and duties under such treaty as if the United States had never been a party thereto. It is also

*Resolved further*, That the validity of this ratification depends upon the affirmative act of the principal allied powers named in the treaty of peace with Germany approving these reservations and certifying said approval to the United States within 60 days after the deposit of the resolution of ratification by the United States.

Mr. KNOX. Mr. President, at the time I presented this reservation—and it was read to the Senate on the 6th of November—I made an explanation of its purpose and advanced some arguments in its support. I desire to-day, however, to make a few additional observations, the substance of which has convinced me that this reservation is the way out of the complex situation in which we find ourselves.

The reservation I have proposed accomplishes the two purposes for which every peace treaty is framed. First, and in this case most importantly, it establishes a status of peace between the United States and Germany. It is now more than a year since actual hostilities between the United States and its enemies ceased and we have not yet placed on our statute books any law nor have we made a treaty which declares the state of war to be at an end. It has been assumed from this fact that we still have a status of war and the Government has in many matters gone forward on the theory that a state of war still exists. As my present thought runs I am inclined to take issue with this position and to assert that a war actually ends with the formal cessation of hostilities; that the constitutional Commander in Chief has the constitutional power to bring actual hostilities to a close, because he has the power to accept the surrender of the armies of the enemy under terms which he lays down and which may make wholly impossible the further conduct of hostilities; that in the present war the Commander in Chief did end these hostilities by his participation in the making of the armistice of November 11, 1918, and the amendments and supplements thereto; that since that time we have had in law as well as in fact a status of peace; and that the only thing which now remains to be done in connection with this war is to provide for the indemnities to be paid by the vanquished and to adjust the future peace-time relationships of the opposing parties. In this view the treaty is obviously merely confirmatory of the peace status which already exists.

But it is not necessary at this time to amplify this phase of the question which I leave for further discussion should it, as it well may, become pertinent to a situation which hereafter may arise, because if this treaty be ratified by us under this reservation it will bring us peace if and when the necessary number of other powers ratify it. As to the eventualities which may arise in connection with ratification of this treaty I have already expressed my views before this body. This resolution, therefore, will, so far as any action which this body can take, bring to us peace—the desideratum which has been held be-

fore us as justifying an unqualified acceptance of this treaty as it was written with all its manifest imperfections and iniquities.

In the second place, this reservation gives us a reasonable and tolerable participation in the matter of indemnities and postwar adjustment and relationships. It is not necessary for me at this time to recapitulate the many-times explained enormities of this treaty from the standpoint of a wise American policy. These have been repeatedly pointed out before this body, and it is now evident that a majority of the Senate regard the written treaty provisions as hostile or threatening to American interest and American institutions. The only question remaining is as to how best to protect ourselves against the invidious tendencies of the treaty provisions?

The crux of the objections to this treaty may, I think, be expressed in a very few words: The treaty makes us coparticipants and coresponsible in matters which are none of our business; and this statement would have been sufficient at any time before there stalked into our political life the theory that men and nations were no longer to be free, but were to be subject in their civil, political, financial, and to some extent religious lives, to the views or whims of other persons and other peoples who might be alien in race, tradition, civilization, government, and religion. I may remark in passing that, owing to a curious quirk of the human intellect, we on this side of the Chamber find ourselves faced with a demand to subject this Nation to the most complete world autocracy which all history has produced, the demand being made by those on the other side of the Chamber, who have heretofore posed as standing for the purest democracy and for the maximum of local self-government. Strange to say, while the whole course of action for the last 50 years of that section of our country which is chiefly represented by gentlemen on the other side has been based and justified on the announced principle of the right of local self-government, yet we to-day on this side of the Chamber are, curiously enough, having to preserve to them the only principle which would permit them to handle their local problems as they have done for the last half century. In saying this I wish to be understood as neither condoning nor approving the course of action to which such gentlemen are committed and for which they stand.

Inasmuch, therefore, as this treaty in all parts, other than that which merely brings us peace, concerns matters which are not our business, the second and third paragraphs of my resolution have been framed with a view to permitting us to exercise the maximum beneficent influence which we may possess in the councils of the world, of allowing to us the fullest opportunity to cooperate with the other nations of the world in the support of any course of action which we shall regard as just, but as imposing upon us no obligations whatsoever to go forward in reference to matters which we regard as improper or unjust. Surely, sir, this is the full participation which this people and this Government ought to undertake. This is all that gentlemen on the other side ought to ask that we undertake. Give the freest range to the wildest dreams of the fanatic dreamer, and he ought not to wish, if he be a patriot, for more than the opportunity to participate and to exercise our influence in the councils of the world for right, justice, and human liberty.

This reservation will fully accomplish this. It will permit us to sit as part and parcel of every committee, of every commission, of every organization which the treaty creates, or for which it provides. Our voice could be heard on every subject affecting the peace of the world. Ratify this treaty with this reservation and we shall exercise the full influence which this treaty gives to us if ratified unreservedly. Nay; I understate this position, because if we shall ratify this treaty without any reservation whatever, we shall be bound by positive undertaking and good faith to support the determinations made by the various treaty organizations, in most cases by majority votes, whether we liked such determination or not. Under such an obligation it would be a matter of much less moment to the other conferring powers whether or not we approved of their conclusions, since whether we did or did not approve we would be bound to support them. But by retaining for ourselves, as this reservation proposes, complete liberty of action as to any determination, decision, or conclusion, which any of these organizations may reach, a liberty of action which would permit us to stand on the right side, even as against a majority of those who compose the conferring powers, I assure you they will consider well and pause long before they reach a decision or lay out a course of action with which we do not agree. And I say to you, gentlemen, on the other side, if what you are seeking is honest power and strength in the world, a ratification of this treaty under this resolution gives you a thousandfold more power and strength than you would have under an unqualified ratification. Indeed, it will give to you the greatest world power you could possess, except you jettison this whole treaty and leave us



free in the future, as in the past, to do the right, as God, working on the conscience of the people of this country, gives us the power to see the right.

The PRESIDENT pro tempore. The question is on the reservation proposed by the Senator from Pennsylvania [Mr. KNOX].

Mr. GORE. Mr. President, I should like to ask the Senator from Pennsylvania if he would object to a division of the question, so that we could first vote on the first paragraph? That presents a clear-cut issue as to whether or not we shall ratify the pending treaty so far it concludes a peace with Germany.

Mr. ROBINSON. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Oklahoma yield to the Senator from Arkansas?

Mr. ROBINSON. Mr. President, I rise to a point of order. I make the point of order that the resolution of ratification proposed by the Senator from Pennsylvania [Mr. KNOX] is not now in order. The rule of the Senate plainly requires that the Senate shall proceed to a determination of all amendments and reservations, and that thereafter a resolution of ratification shall be framed and be considered in the Senate. It is not competent in Committee of the Whole, while reservations are pending, to vote for a resolution of ratification. The matter submitted by the Senator from Pennsylvania is on its face a qualified resolution of ratification and, under the rules of the Senate, is not now in order.

Mr. KNOX. Mr. President, the Senator from Arkansas [Mr. ROBINSON] is entirely mistaken. This is not a resolution of ratification. The RECORD of November 6 shows that the Senator from Pennsylvania rose and made this statement:

Mr. KNOX. Mr. President, with the consent of the Senator from Wisconsin, I should like to send to the desk a brief, simple, and general reservation to America's ratification of the treaty of Versailles and its league of nations, which I propose to the pending treaty; and I ask the indulgence of the Senate for 5 or 10 minutes in order to explain the purpose of the reservation.

Mr. LA FOLLETTE. I yield to the Senator for that purpose.

Mr. KNOX. I ask to have the proposed reservation read.

The VICE PRESIDENT. The Secretary will read as requested.

How that can be called a resolution of ratification I can not imagine.

Replying to the suggestion made by the Senator from Oklahoma [Mr. GORE], I will say that I have not the slightest objection to a division of the question involved in the reservation.

Mr. ROBINSON. Mr. President, I call attention to the alleged reservation as presented by the Senator from Pennsylvania. It is true that it reads:

Reservation intended to be proposed by Mr. KNOX to the reservations proposed as a part of the resolution of ratification of the treaty of peace with Germany, viz:

*Resolved*, That the Senate of the United States unreservedly advises and consents to the ratification of this treaty in so far as it provides for the creation of a status of peace between the United States and Germany.

Further resolutions in the nature of reservations follow.

The point I make is that the Senator from Pennsylvania can not abrogate the plain rule of the Senate which fixes our procedure, and, by designating a resolution of ratification a reservation, escape the effect of the rule which gives the Senate the right to vote upon the various amendments and reservations presented before it undertakes to determine the question of ratification.

If this resolution, or reservation, or whatever it may be termed, be adopted, it will have the effect of being a substitute for the pending resolutions, reservations, and amendments. It is plainly, in legal effect, a qualified resolution of ratification and is not in order under the rule. It will require a two-thirds vote for its adoption.

Mr. BRANDEGEE. Mr. President, I do not take the view of this matter that the Senator from Arkansas takes. Many of these reservations state, and it is a recognized form in which to offer a reservation to say that "the Senate advises and consents to the ratification of the treaty with the following understandings." I have looked up a good many of them as contained in Malloy's Treaties and Conventions, and that is the common form of expression, and I notice that several of those now pending are worded in similar form.

For instance, I read from the one offered by the Senator from Nevada [Mr. PITTMAN], which is right on our desks now, and it provides:

The Senate of the United States of America advises and consents to the ratification of said treaty with the following reservations.

And so forth.

The fact that the Senator's reservation contains the word "resolved" is immaterial, but the Senator can modify his own reservation by striking that out in each case if he desires to do so. Then it will read:

That the Senate unreservedly advises and consents—

Which is the exact language contained in many former treaties, and in several pending reservations.

The PRESIDENT pro tempore. The Chair is of the opinion that the reservation now before the Senate is in proper form and overrules the point of order.

Mr. GORE. Mr. President, in view of the statement of the Senator from Pennsylvania, that he does not object to a severance of these reservations, I ask that the question be divided, and that the first paragraph be submitted to the Senate first. I ask that it be read.

The PRESIDENT pro tempore. The Secretary will read the first paragraph.

The Secretary read as follows:

*Resolved*, That the Senate of the United States unreservedly advises and consents to the ratification of this treaty in so far as it provides for the creation of a status of peace between the United States and Germany.

Mr. WALSH of Montana. Mr. President, I would find myself quite unable to determine just exactly what provisions of the treaty would be in force and what would not be in force if this resolution of ratification were adopted. For instance, I would be utterly unable to say whether the Shantung provision is in force and effect or is not.

The PRESIDENT pro tempore. The Chair is of the opinion that the reservation is not susceptible of division. The question will be upon the reservation offered by the Senator from Pennsylvania.

Mr. FRANCE. I call for the yeas and nays.

Mr. WALSH of Massachusetts. May we have the whole question stated?

The PRESIDENT pro tempore. The Chair calls first for the seconding of the demand for the yeas and nays. Is it seconded?

The yeas and nays were ordered.

The PRESIDENT pro tempore. The Secretary will state the reservation proposed by the Senator from Pennsylvania.

The Secretary read as follows:

*Resolved*, That the Senate of the United States unreservedly advises and consents to the ratification of this treaty in so far as it provides for the creation of a status of peace between the United States and Germany.

*Resolved further*, That the Senate of the United States advises and consents to the ratification of this treaty, reserving to the United States the fullest and most complete liberty of action in respect to any report, decision, recommendation, action, advice, or proposals of the league of nations or its executive council or any labor conference provided for in the treaty, and also the sole right to determine its own relations and duties and course of action toward such league or toward any member thereof or toward any other nation in respect to any question, matter, or thing that may arise while a member of such league, anything in the covenants or constitution of such league or the treaty of Versailles to the contrary notwithstanding, and also reserves to itself the unconditional right to withdraw from membership in such league and to withdraw from membership in any body, board, commission, committee, or organization whatever set up in any part of the treaty for the purpose of aiding its execution or otherwise, effecting by such withdrawal as complete a release of any further obligations and duties under such treaty as if the United States had never been a party thereto. It is also

*Resolved further*, That the validity of this ratification depends upon the affirmative act of the principal allied powers named in the treaty of peace with Germany, approving these reservations and certifying said approval to the United States within 60 days after the deposit of the resolution of ratification by the United States.

Mr. BRANDEGEE. Mr. President, I ask for a division of this reservation, based upon the rule which says that—

If the question in debate contains several propositions, any Senator may have the same divided.

And it seems to me that clearly this reservation, under two separate resolves, contains two separate propositions. One is that the United States ratifies the treaty so far as it creates a status of peace. Then it further resolves an entirely different thing.

I simply wanted to call the attention of the Chair to that rule, which will be found on page 22, Rule XVIII, and ask the Chair, if he had ruled inadvertently upon the matter, or without looking at the rule, if he would not reconsider his ruling.

Mr. SWANSON. Mr. President, it seems to me that it is too late when the yeas and nays have been ordered.

Mr. BRANDEGEE. The Chair has ruled otherwise, and I have the floor.

Mr. SWANSON. The yeas and nays have been ordered. Business has intervened.

Mr. BRANDEGEE. That does not make any difference.

Mr. SWANSON. I raise the point of order that there can not be any debate on questions of order.

Mr. BRANDEGEE. I am not debating, unless the Chair wants to hear me.

Mr. SWANSON. The rule says that—

Points of order, including questions of relevancy and appeals from the decision of the Presiding Officer, shall be decided without debate.

Mr. BRANDEGEE. It is all within the discretion of the Chair.

The PRESIDENT pro tempore. The point of order is sustained. The question is on the reservation proposed by the Senator from Pennsylvania [Mr. KNOX], on which the yeas and nays have been requested and ordered. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. CURTIS (when Mr. FALL's name was called). I have been requested to announce the unavoidable absence of the Senator from New Mexico [Mr. FALL]. He is paired with the Senator from Wyoming [Mr. KENDRICK]. If present, the Senator from New Mexico would vote "yea."

Mr. KENDRICK (when his name was called). I make the same announcement as to the transfer of my pair as before, and will let this announcement stand for the day. I vote "nay."

Mr. McLEAN (when his name was called). In the absence of the senior Senator from Montana [Mr. MYERS] I withhold my vote.

The roll call was concluded.

Mr. MYERS. Has the Senator from Connecticut [Mr. McLEAN] voted?

The PRESIDENT pro tempore. That Senator has not voted.

Mr. MYERS. As I have a pair with the Senator from Connecticut, I withhold my vote.

The result was announced—yeas 30, nays 61, as follows:

#### YEAS—30.

Ball	Frelinghuysen	McCormick	Reed
Borah	Gore	Moses	Sherman
Brandagee	Gronna	New	Shields
Capper	Harding	Newberry	Sutherland
Curtis	Johnson, Cal.	Norris	Wadsworth
Elkins	Knox	Penrose	Watson
Fernald	La Follette	Phipps	
France	Lodge	Polindexter	

#### NAYS—61.

Ashurst	Henderson	Nugent	Spencer
Bankhead	Hitchcock	Overman	Stanley
Beckham	Johnson, S. Dak.	Owen	Sterling
Calder	Jones, N. Mex.	Page	Swanson
Chamberlain	Jones, Wash.	Phelan	Thomas
Colt	Kellogg	Pittman	Townsend
Cummins	Kendrick	Pomerene	Trammell
Dial	Kenyon	Ransdell	Underwood
Dillingham	Keyes	Robinson	Walsh, Mass.
Edge	King	Sheppard	Walsh, Mont.
Fletcher	Kirby	Simmons	Warren
Gay	Lenroot	Smith, Ariz.	Williams
Gerry	McCumber	Smith, Ga.	Wolcott
Hale	McKellar	Smith, Md.	
Harris	McNary	Smith, S. C.	
Harrison	Nelson	Smoot	

#### NOT VOTING—4.

Culberson	Fall	McLean	Myers
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So Mr. KNOX's reservation was rejected.

Mr. KNOX. Mr. President, I desire to give notice that I will ask for a vote in the Senate on this reservation.

Mr. JONES of Washington. Mr. President, I propose the reservation I send to the desk.

The PRESIDENT pro tempore. The Secretary will read it.

The SECRETARY. Add as a new reservation the following:

The representative of the United States on the council of the league of nations shall not give his consent to any proposal under any provisions of the covenant of the league of nations which may involve the use of the military or naval forces of the United States until such proposal shall be submitted to the Congress and the Congress shall authorize him to give his consent thereto.

Mr. JONES of Washington. Mr. President, there is nothing in the covenant that prevents our representative on the council giving his consent to any decision that may be asked of the council or giving his assent or joining in any decision upon any question or dispute under the consideration of the council. I have heard it stated on this floor many times by Senators that our armies and our navies would not or should not be sent abroad to engage in any foreign war without the consent of Congress. I believe that is the sentiment of the Congress. I believe the sentiment of the people of this country is that they are not willing that our armies shall be sent abroad without the consent of Congress.

Mr. President, I do not want this country to be placed in a position where other nations can point to us and say, "You have failed to meet an obligation that your representative has consented to."

Under article 10, as it is submitted to us, for instance, it is provided that the council shall advise upon the means to carry into effect any obligation that we have assumed. If that stands as it is, and a question comes up before the council involving the matter of compelling peace between two countries across the seas, and our representative on that council should agree to a plan submitted by the other members of the council that would involve the use of the troops of the United States, then we would be in a position of having consented through our representative on the council to the use of our troops across the sea. He could not legally bind us, I grant that, but, Mr. President, if

a nation can ever be morally bound to do a thing that its representative can not legally bind a nation to do, this country would be bound to conform to the recommendation of the council after its representative had given his consent. If we refused to do it, our associates could very justly charge us with dishonor.

I do not want our country to be put in that position. I do not want us to be placed so that the finger of dishonor can be pointed at us by any of the other countries of the world, because I am satisfied of this, Mr. President, that the people of this country and that the Congress of the United States would never consent to the sending of our armies across the sea to engage in a controversy or war that did not affect our safety and security and in which we had no direct interest. To meet that situation, Mr. President, I want this provision put in the resolution of ratification, so that the countries of the world will know that our representative upon the council can not bind us to use our armies until first he has been authorized to do so by the Congress.

It may be said that all the countries are presumed to know our form of Government and the Constitution upon which it rests; and yet they do not know it; they do not appreciate it. They did not appreciate it while this treaty was being framed. You see in the press every day expressions of surprise that the Senate is not approving the action of our peace delegation at Versailles. They thought that when our peace delegation signed this treaty this country was bound, that the act was complete, that the ratification by the Senate was a sort of a matter of form. A great many of them thought that. But they have had their eyes opened, and they will have their eyes opened further in this respect. But what are they doing? They are charging us with running away from obligations that we have not yet incurred. They are charging us with forsaking and not fulfilling a covenant that we have not yet made, but which they thought we had made. So, Mr. President, unless we put in a reservation of this kind, when our delegate sits on the council with the representatives from the other countries they will think that he sits there with the same power that they have—to bind their countries when they act.

When the representative on the council of the British Empire gives his consent to a decision of the council it binds the British Empire. When the representative of France on the council gives his consent to any decision of the council, it binds France. They would naturally expect our representative to have the same power and his act the same effect. Our representative, however, can not bind this country, legally or morally, to send its armies into war. While we would not be legally bound, yet if he did give his consent and there was introduced in Congress a resolution declaring war or to raise armies, what would be the strongest argument in favor of its passing? Not the merits of the controversy, but that we had been committed by our representative to this line of conduct and that it would be dishonorable for us not to fulfill the obligation that he had consented to. One of the most potent arguments for this treaty now is that it has been approved by our representatives; that we should stand by the President.

So, Mr. President, the sole purpose of this reservation is to advise our associates in this league of nations that when we consent to the ratification of this covenant, we declare that our representative on the council can not give his consent to any proposition that involves the use of our armed forces without first submitting it to Congress and getting its consent.

I have heard the leader of the minority more times than one state on this floor that Congress ought to provide that our representative should not give his consent without the consent of Congress, and that we can so provide by law. I think we can. I introduced a bill two or three months ago providing that our representative on the council should not do it. It seems to me that the fair and honorable course for us to take is, when we ratify this treaty, to put that provision, at any rate, in the resolution of ratification.

It may be said that reservation 8 takes care of it. Under reservation 8 it is expressly provided that the powers and duties of our representative in the council shall be fixed by law. That would take care of it in a way. Yet that law is subject to change as administrations come and go, it is subject to repeal as Congress may change. It has not the permanent character of a reservation in a resolution of ratification, and instead of leaving it to future legislation, instead of leaving it to future action by Congress, it does seem to me that the fair, just, and honorable course if that is what we believe—and I am sure that is the sentiment of the Senate and the sentiment of the people—is for us, in ratifying this treaty, to notify our associates that our representative on the council can not agree to any decision involving the use of our armies or navies until the proposition has first been submitted to Congress and had its assent. This makes our position clear. It avoids misunderstanding. It will promote peace.

I trust that the reservation will be agreed to.



Mr. HITCHCOCK. Mr. President, the Senator has quoted me. I certainly do not want it understood that I have ever stated that this is a matter which we should enter into an agreement about with a foreign country or any number of foreign countries.

Mr. JONES of Washington. No, Mr. President; I said the Senator had said we should enact legislation.

Mr. HITCHCOCK. That is the only proper way to do it. It is purely a domestic question. The power which we shall give our representative is entirely domestic, and ought to be covered by legislation only. We should not undertake to enter into any contract with the other nations as to what his powers should be. It ought to be always in our hands for us to restrict or increase his powers as may be deemed proper at the time.

Mr. KELLOGG. Mr. President, it seems to me that the Senator from Nebraska [Mr. HITCHCOCK] is correct. We have provided by a reservation, known as reservation No. 8, that Congress will provide by law for the appointment of our representatives, and will fix their powers and duties, and from time to time Congress ought to have that power. It is something that we ought not to put in a treaty with any foreign country.

Furthermore, under the third reservation the military forces can not be used without the consent of Congress. I do not think that the reservation should be adopted or that it is proper.

Mr. JONES of Washington. This reservation does not make any contract between us and these other countries. It simply declares to them what our policy is toward our representative. It simply declares to them what permanent restrictions we make upon our member of the council—

Mr. HITCHCOCK. Mr. President—

Mr. JONES of Washington. And notifies them that while this treaty is in effect that representative can not give his consent to any such proposition without action by Congress.

Mr. HITCHCOCK. The Senator says there is no contract, but it is stated in the very first reservation that they do not go into effect until accepted by the other parties.

Mr. JONES of Washington. When they are accepted they simply accept our declaration that this limitation is placed upon our representative in the council.

Furthermore, it is not so much a question as to what future Congresses may do, as the Senator from Minnesota [Mr. KELLOGG] suggests, referring to the proposition in section 8. It is a question of what this Congress, that is ratifying the treaty, wants to say with reference to the representative upon the council which it is helping to create. What do we say about it? Do we want this representative to give his consent to the council involving the use of our Armies and Navies? We may get no legislation, or the legislation we may be able to get defining the powers of this representative may not take away from him his discretion. What do we want to do in ratifying this treaty? I want it declared in the resolution of ratification that our representative on the council can not give his consent to any such decision.

The VICE PRESIDENT. The question is on the reservation offered by the Senator from Washington [Mr. JONES].

Mr. JONES of Washington. I call for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. UNDERWOOD (when Mr. BANKHEAD's name was called). I desire to announce that my colleague [Mr. BANKHEAD] is absent and is paired with the junior Senator from Vermont [Mr. PAGE]. I ask that this announcement may stand for the balance of the day.

Mr. CALDER (when his name was called). On this vote I am paired with the junior Senator from Arizona [Mr. ASHURST]. If at liberty to vote, I would vote "yea."

Mr. CURTIS (when his name was called). I have a pair with the Senator from North Carolina [Mr. SIMMONS]. If at liberty to vote, I should vote "yea."

Mr. MOSES (when his name was called). During the temporary and necessary absence of the Senator from Arkansas [Mr. KIRBY] I have a pair with that Senator. In his absence I withhold my vote. If at liberty to vote, I would vote "yea."

The roll call was concluded.

Mr. OVERMAN. I was requested to announce that my colleague [Mr. SIMMONS] is absent on account of illness in his family. He is paired with the Senator from Kansas [Mr. CURTIS]. If my colleague were present he would vote "nay." I ask that this announcement may stand for the day.

The result was announced—yeas 34, nays 50, as follows:

YEAS—34.

Ball	Capper	Elkins	Frelinghuysen
Borah	Cummins	Fernald	Gore
Brandegee	Edge	France	Gronna

Johnson, Calif.  
Jones, Wash.  
Kenyon  
Knox  
La Follette  
Lodge

McCormick  
McLean  
New  
Newberry  
Norris  
Penrose

Phipps  
Polindexter  
Reed  
Sherman  
Shields  
Smoot

Sutherland  
Townsend  
Walsh, Mass.  
Watson

NAYS—50.

Beckham  
Chamberlain  
Colt  
Dial  
Dillingham  
Fletcher  
Gay  
Gerry  
Hale  
Harding  
Harris  
Harrison  
Henderson

Hitchcock  
Johnson, S. Dak.  
Jones, N. Mex.  
Kellogg  
Keyes  
King  
Lenroot  
McCumber  
McKellar  
McNary  
Myers  
Nelson  
Nugent

Overman  
Owen  
Phelan  
Pittman  
Pomerene  
Ransdell  
Robinson  
Sheppard  
Smith, Ariz.  
Smith, Ga.  
Smith, Md.  
Smith, S. C.  
Spencer

Stanley  
Sterling  
Swanson  
Thomas  
Trammell  
Underwood  
Wadsworth  
Walsh, Mont.  
Warren  
Williams  
Wolcott

NOT VOTING—11.

Ashurst  
Bankhead  
Calder

Culberson  
Curtis  
Fall

Kendrick  
Kirby  
Moses

Page  
Simmons

So the reservation of Mr. JONES of Washington was rejected. Mr. GORE. I desire to offer the reservation which I send to the desk and ask to have read.

The VICE PRESIDENT. The Secretary will read the proposed reservation.

The SECRETARY. Add as a separate reservation the following:

No. —. Nothing contained in this treaty or covenant shall be so construed as to require the United States of America to depart from its traditional policy of not intruding upon, interfering with, or entangling itself in the political questions or policy or internal administration of any foreign State; nor shall anything contained in the said treaty or covenant be construed to imply a relinquishment by the United States of America of its traditional attitude toward purely American questions.

Mr. HITCHCOCK. May I inquire if the proposed reservation has been duly read heretofore?

Mr. GORE. Yes; on Saturday last.

Mr. President, I wish to say merely a word concerning the genesis and history of this reservation. It is not a new thing under the sun, although it will be a new thing in the diplomatic history of this country if it should be rejected by the Senate. It is a landmark in the diplomatic history of the United States. It is a literal transcript from the understanding attached by the American representatives to the first Hague conference. I have made a change of only a single word. In lieu of the word "convention" in that understanding I have substituted the words "treaty or covenant." This understanding was proposed by the American delegates and was attached to the first Hague convention as a definition and a preservation of the traditional policy of the United States.

It is also a literal transcript from the understanding proposed by the American delegates and attached to the second Hague convention. There is a variation of only a single word.

I should like to remind Senators that the two Hague conventions looked to the encouragement of international peace and to the avoidance of international war. Those conventions, however, appealed to the moral sense of mankind and invoked only moral forces for the execution of their decrees. Those conventions did not involve the use of armed forces or military intervention in quarrels between nations, and yet the American representatives at those two historic conferences felt obliged, out of an abundance of caution, to submit those understandings and to subscribe to those conventions only after these understandings and these conditions had been attached.

How much more important now, when we contemplate entering into a league of nations which involves an appeal to arms, a resort to military force, and a resort to the economic boycott! It seems to me that we ought to emulate those illustrious examples, and we ought in this reservation to preserve our traditional policy and reassert our resolution not to meddle and intermeddle in the quarrels of Europe that do not concern either the rights, the interests, or the honor of this Republic.

Mr. WALSH of Montana. Mr. President, I believe it is generally recognized as a part of the history of the transactions to which the Senator from Oklahoma refers that the expressions found in this reservation are intended as a reservation of the Monroe doctrine. I make the point of order that the subject is covered by reservation No. 6.

Mr. GORE. Mr. President, I do not think the point of order should be sustained; but, in any event, it can only apply to the last half of the reservation. I ask a separation of the question and ask that the first part be read. I think the Senator from Montana will then see a distinction between the first provision of the reservation and the Monroe doctrine as wide as the universe.

The VICE PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

No. —. Nothing contained in this treaty or covenant shall be so construed as to require the United States of America to depart from its traditional policy of not intruding upon, interfering with, or entangling itself in the political questions or policy or internal administration of any foreign State.

Mr. GORE. Mr. President, I offer the part of the reservation which has just been read as a separate reservation.

The VICE PRESIDENT. Does the Senator from Oklahoma ask for a separate vote on it?

Mr. GORE. Yes, sir.

Mr. WALSH of Montana. Mr. President, unless the rules prohibit him, the Senator from Oklahoma undoubtedly may modify his resolution in any way he sees fit.

The VICE PRESIDENT. The Chair overrules the point of order.

Mr. GORE. I ask for the yeas and nays on the reservation.

The yeas and nays were ordered.

Mr. THOMAS. Before the roll is called, I desire to inquire whether the vote is to be taken upon the first part of the reservation?

The VICE PRESIDENT. No; it is to be upon the entire reservation.

The Secretary proceeded to call the roll.

Mr. JOHNSON of South Dakota (when his name was called). I have a pair with the Senator from Maine [Mr. FERNALD]. In his absence I withhold my vote.

Mr. MOSES (when his name was called). My temporary pair with the Senator from Arkansas [Mr. KIRBY] still holds good. I therefore withhold my vote. If permitted to vote, I should vote "yea."

Mr. SMITH of Maryland (when his name was called). I have a general pair with the senior Senator from Vermont [Mr. DILLINGHAM]. In his absence I withhold my vote. If I were privileged to vote, I should vote "nay."

The roll call was concluded.

Mr. WATSON (after having voted in the affirmative). Has the senior Senator from Delaware [Mr. WOLCOTT] voted?

The VICE PRESIDENT. He has not.

Mr. WATSON. Having a pair with that Senator, in his absence I withdraw my vote.

Mr. CURTIS. I have a pair with the Senator from North Carolina [Mr. SIMMONS], and therefore withhold my vote.

The result was announced—yeas 28, nays 50, as follows:

## YEAS—28.

Ball	Frelinghuysen	La Follette	Poindexter
Borah	Gore	Lodge	Reed
Brandeggee	Gronna	McCormick	Sherman
Capper	Harding	McLean	Shields
Cummins	Johnson, Calif.	New	Sutherland
Elkins	Jones, Wash.	Norris	Wadsworth
France	Knox	Penrose	Walsh, Mass.

## NAYS—50.

Beckham	Jones, N. Mex.	Overman	Spencer
Chamberlain	Kellogg	Owen	Stanley
Colt	Kendrick	Phelan	Sterling
Dial	Keyes	Phipps	Swanson
Edge	King	Pittman	Thomas
Fletcher	Lenroot	Pomerene	Townsend
Gay	McCumber	Ransdell	Trammell
Gerry	McKellar	Robinson	Underwood
Hale	McNary	Sheppard	Walsh, Mont.
Harrison	Myers	Smith, Ariz.	Warren
Henderson	Nelson	Smith, Ga.	Williams
Hitchcock	Newberry	Smith, S. C.	
	Nugent	Smoot	

## NOT VOTING—17.

Ashurst	Dillingham	Kirby	Watson
Bankhead	Fall	Moses	Wolcott
Calder	Fernald	Page	
Culberson	Johnson, S. Dak.	Simmons	
Curtis	Kenyon	Smith, Md.	

So the reservation proposed by Mr. GORE was rejected.

Mr. FRANCE. I offer a reservation, which I ask may be read.

The VICE PRESIDENT. The Secretary will read as requested.

The SECRETARY. At the close of reservation 2 it is proposed to add the following:

Provided, That the United States shall have the privilege of nominating at any time any nonmember nation of the world for membership in the league of nations and the privilege of offering at any time any amendment to the league covenant, and in case unfavorable action shall be taken by the league, resulting in a failure to elect to membership the nation so nominated or a rejection of the proposed amendment, the United States reserves the right to withdraw immediately without condition or notice.

Mr. FRANCE. Mr. President, the proposed reservation speaks for itself. I do not ask for the yeas and nays upon it.

The VICE PRESIDENT. The question is upon the reservation proposed by the Senator from Maryland.

The reservation was rejected.

Mr. FRANCE. I offer another reservation.

The VICE PRESIDENT. The reservation proposed by the Senator from Maryland will be read.

The SECRETARY. It is proposed to add at the proper place the following:

Except that, in accordance with the principles declared in article 22, that the tutelage of the peoples which are no longer under the sovereignty of the States which formerly governed them and which are not yet able to stand by themselves should be entrusted to the advanced nations who can best undertake this responsibility, the principal allied and associated powers shall renounce in favor of the United States all their rights and titles to the colonies and territories in Africa formerly held by Germany and transferred by Germany to said principal allied and associated powers under articles 119 to 127, inclusive, and the United States shall act as mandatory of such territories to the end that the inhabitants of these colonies and territories may be civilized, educated, and fitted for self-determination, and to the further end that the United States shall closely cooperate with Great Britain, France, and Belgium and with such other powers as have interests in Africa in a permanent, progressive, and upbuilding policy for the development of all of the peoples and resources of Africa, and further that the ratification of this treaty by the United States shall be only on condition that the principal allied and associated powers take such action as is herein provided by the renunciation of such rights and titles to the United States.

Mr. FRANCE. Mr. President, I have already discussed this reservation, so I shall not delay the Senate by any further remarks upon it. I should be pleased, however, to have a yeas-and-nays vote upon it.

The VICE PRESIDENT. The question is on the reservation offered by the Senator from Maryland, on which the yeas and nays are requested.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CURTIS (when his name was called). I make the same announcement as before with regard to my pair and withhold my vote. If at liberty to vote, I should vote "nay."

Mr. JOHNSON of South Dakota (when his name was called). Making the same announcement that I made a while ago, I withhold my vote. If at liberty to vote, I should vote "nay."

Mr. MOSES (when his name was called). Repeating the announcement of my pair with the Senator from Arkansas [Mr. KIRBY], in his absence I withhold my vote.

The roll call was concluded.

Mr. LODGE. I have a general pair with the senior Senator from Georgia [Mr. SMITH]. In his absence I withhold my vote.

Mr. WATSON. I have a general pair with the senior Senator from Delaware [Mr. WOLCOTT]. In his absence I withhold my vote.

The result was announced—yeas 3, nays 71, as follows:

## YEAS—3.

Ball	France	Sherman
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## NAYS—71.

Beckham	Harris	Nelson	Smith, Md.
Borah	Harrison	New	Smith, S. C.
Brandeggee	Henderson	Newberry	Smoot
Capper	Hitchcock	Nugent	Spencer
Chamberlain	Jones, N. Mex.	Overman	Stanley
Colt	Jones, Wash.	Owen	Sterling
Cummins	Kellogg	Penrose	Sutherland
Dial	Kendrick	Phelan	Swanson
Dillingham	Kenyon	Phipps	Thomas
Edge	Keyes	Pittman	Townsend
Elkins	King	Poindexter	Trammell
Fletcher	La Follette	Pomerene	Underwood
Frelinghuysen	Lenroot	Ransdell	Wadsworth
Gay	McCormick	Reed	Walsh, Mass.
Gerry	McCumber	Robinson	Walsh, Mont.
Hale	McKellar	Sheppard	Warren
Harrison	McNary	Shields	Williams
Henderson	Myers	Smith, Ariz.	

## NOT VOTING—21.

Ashurst	Fernald	Lodge	Smith, Ga.
Bankhead	Gore	McLean	Watson
Calder	Johnson, Calif.	Moses	Wolcott
Culberson	Johnson, S. Dak.	Norris	
Curtis	Kirby	Page	
Fall	Knox	Simmons	

So Mr. FRANCE's reservation was rejected.

Mr. OWEN. Mr. President, I offer a reservation, upon which I do not ask the yeas and nays.

The VICE PRESIDENT. The reservation will be stated.

The Secretary read as follows:

The United States holds that the principles covered by the letter of the Secretary of State of November 5, 1918, as the conditions upon which the armistice was based, are binding and the covenant of the league must be interpreted in accordance with those principles.

Mr. LA FOLLETTE. Mr. President, I ask for the yeas and nays on that reservation.

The VICE PRESIDENT. Is the request seconded? [A pause.] It is not seconded.

Mr. PENROSE. I should like to have the reservation read again.

The VICE PRESIDENT. The Secretary will read the reservation again.

The Secretary again stated the proposed reservation.



Mr. LA FOLLETTE. Mr. President, as I understand that reservation, it involves the "14 points," and upon it I ask for the yeas and nays.

Mr. PENROSE. Out of respect to the points?

Mr. LA FOLLETTE. Out of respect to the disappearing points.

The VICE PRESIDENT. Is the request seconded? [A pause.] It is not seconded by one-fifth of those present. The question is on the reservation offered by the Senator from Oklahoma.

The reservation was rejected.

Mr. OWEN. I reserve the right to reoffer in the Senate the reservations which I have heretofore offered in Committee of the Whole.

The VICE PRESIDENT. Are there further reservations?

Mr. JONES of Washington. Mr. President, I offer the reservation which I send to the desk.

The VICE PRESIDENT. The reservation will be stated.

The Secretary read as follows:

Paragraph.—The United States hereby gives notice that it will withdraw from the league of nations at the end of two years from the date of the exchange of ratifications of this treaty unless by the end of that period—

(1) The sovereignty of China shall have been fully restored over and in Shantung.

(2) The relations of Ireland to the British Empire shall have been adjusted satisfactorily to the people of Ireland.

(3) The independence of Egypt shall be recognized and that country set up as a free, independent, and sovereign State.

(4) Each member of the league shall have abolished through the duly constituted authority the policy of maintaining its regular military and naval forces in time of peace by conscription.

Mr. JONES of Washington. Mr. President, just a word.

I think these four grounds on which we give notice of withdrawal unless they are complied with are in accord with the sentiment and the fundamental principles of our people and this Government, and we ought not to continue associated with countries that are not in harmony with them.

The first ground for withdrawal is unless the sovereignty of China shall have been fully restored over and in Shantung. We have not had a single word on this floor justifying the action with reference to Shantung. Everybody denounces it. Everybody condemns it. We have adopted a rather strong reservation with reference to it—that is, we have withheld our consent—but that does not accomplish anything. In my judgment, if we advise these people that unless Shantung is restored in two years we will withdraw from the league of nations, that restoration will take place. Furthermore, Japan has promised to do it. This will not hurt her pride. We give her two years in which to fulfill that promise; I believe she will do it.

The second ground for withdrawal is, unless the relations of Ireland to the British Empire shall have been adjusted satisfactorily to the people of Ireland.

If there are any people that are entitled to their independence, it is the Irish people. They have been fighting for it since for more than a century. They have shown their capacity in every walk and position of life, in every civilized country on the face of the earth, and upon every important battle field in the history of the world during the last hundred years. They are certainly entitled to their independence. The Senate, by almost a unanimous vote, expressed its sentiment along these lines some time ago. Now, we give the British Empire two years in which to make a satisfactory adjustment of their relations with the Irish people. If they do not do it, we ought not to stay associated with a country that will not give people like the Irish their independence.

The third ground is, unless the independence of Egypt shall be recognized and that country set up as a free, independent, and sovereign State.

When this war began, Egypt was an independent country, nominally under the suzerainty of Turkey. When Turkey entered the war, Egypt became, under international law, a free and independent country, and joined the Allies in the war. England declared a protectorate over Egypt; but, relying upon the justice that they thought England would afford to them these people understood, and they had a right to understand, that this was simply temporary, and that when the war ended they would be granted their independence. I have been informed that a million Egyptians went to the battle front in this Great War. They fought bravely.

I see it reliably reported that Gen. Allenby stated in a speech that the Egyptians were largely responsible for his success in Palestine against the Turks.

Mr. President, Egypt is a people of 13,000,000 souls, with 350,000 square miles of territory, whose history runs back many thousand years, a people who ought to be independent, a people

who had a right to expect their independence at the close of this war, a people who had a right to expect to be treated as an independent country. The English representatives since 1882 have declared over and over again that their occupation of Egypt was simply temporary; that they were not intending to interfere with the sovereignty of Egypt or its independence.

Mr. President, that country ought to be independent. It is occupied now by English forces, and the civilized world would probably be shocked if it knew what was taking place there—the very things that almost always take place where an alien army is occupying a country. It does not make any difference how civilized the country may be from which these armies come; they are reliably charged of being guilty of outrages that would bring the blush of shame to the cheeks of civilized people.

Mr. POMERENE. I hope the Senator does not mean to have that remark apply to American troops when they were abroad.

Mr. JONES of Washington. Mr. President, my recollection is that we had very serious charges made even against American troops while they were occupying the Philippines. It would not be true of American troops generally, and I hope never, but when you gather together thousands of men you will find some among them, even though they may all profess to be preachers of the gospel, who will not act just right under all circumstances. You take thousands of soldiers and put them over an alien people against that people's will and you will have trouble and outrages.

Here is what the British troops are doing in Egypt.

Mr. WILLIAMS. What is the Senator reading from?

Mr. JONES of Washington. I am reading from a statement made by the Egyptian representatives, based upon affidavits submitted by their people. I do not vouch, of course, for the truth of it, but the affidavits are made under the solemn obligations of an oath, by people who are vouched for as Egyptians of high standing and position, as respectable and responsible; and I have seen no denial from any representative of the English Government.

(a) On March 30, an armored train, transporting several hundred British soldiers, stopped above the village of Chobak. A certain number of soldiers penetrated the village, pillaging everything that was within their reach without encountering the slightest resistance. They attacked the honor of women. A husband who wished to interfere was immediately shot. Soon the soldiers spread themselves throughout the village and committed the most shameful excesses upon the women. Woe to her who wished to defend herself; she was immediately struck down. Woe to the man who wished to intervene; he underwent the same fate. After the village was burned, 144 houses were destroyed. There remains standing of this village only 56 houses. Twenty-one people were killed and 12 wounded. Some underwent a refined martyrdom. The soldiers buried the assistant mayor, his son, brother, and two other persons up to their waists and cut them up with their bayonets until they were dead.

I have examined the affidavits upon which this statement is based, and they bear it out. As I say, I do not vouch for the truth of it. I am sure it does not show the general character of British soldiers or of the British Army. But it is, in my judgment, Mr. President, what we may expect when an alien army is occupying territory against the will of the native or local people, and trying to control and govern them against their will.

Mr. WILLIAMS. Mr. President—

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Mississippi?

Mr. JONES of Washington. I yield to the Senator.

Mr. WILLIAMS. I suppose, as a matter of fact, of course that the Senator is not acquainted with any of the people who made the affidavits?

Mr. JONES of Washington. Oh, no; not personally.

Mr. WILLIAMS. The Senator is prepared, then, on the printed affidavits of interested parties, purporting to come from respectable people, to believe of Scotchmen and Englishmen and Welshmen and Irishmen, who constitute the British Army, a villainous thing like that?

Mr. JONES of Washington. Mr. President, I do not know whether these were Scotchmen; I do not know whether these were Irishmen—

Mr. WILLIAMS. The Senator said the British Army.

Mr. JONES of Washington. The British Army, Mr. President, is composed of people from almost every part of the world. It was a part of the British Army, under control of British officers, under the dominion of the British Government, exercising the authority of the British Government.

Mr. WILLIAMS. If it was not an army of Britons, it may have been an army of native Egyptians, for all the Senator knows.

Mr. JONES of Washington. I do not know their nationality. It is charged they were commanded by British officers and they were a part of the British Army. But, Mr. President, the

affidavits show that they were not Egyptians. But, as I say, I do not vouch for the truth of it. The Senator has absolutely no proof that that is not true.

Mr. WILLIAMS. I never heard of it.

Mr. JONES of Washington. And these people are vouched for by people who are honorable people.

Mr. WILLIAMS. But when an incredible thing is stated, I never heard that it was incumbent upon one to prove the negative.

Mr. JONES of Washington. Undisputed affidavits of respectable people certainly make a prima facie case. Of course, there are a lot of things that I have never seen but which I know exist. There are a lot of people whom I have not seen but whom I know to be honorable and respectable people. There are a lot of people with whom I am not personally acquainted but of whom I have heard and whom I know to be honorable and respectable. These affidavits go into detail with such specific statements that there is certainly some foundation for the charges made.

But, Mr. President, as I said a moment ago, and the Senator from Mississippi knows that it is true, we must expect things like that where an alien army, an alien force, is occupying a country against the will of the people. It is against such occupation and control that I protest.

So, Mr. President, I would like to give England two years within which to withdraw her protectorate from Egypt, take her troops away, and let these people go the way they want to go and ought to go, and live the life they want to live, and which their history shows they are entitled to live.

Here is a matter that is of very vital importance to us:

Each member of the league shall have abolished through the duly constituted authority the policy of maintaining its regular military and naval forces in time of peace by conscription.

Conscription in time of peace is a policy that is contrary to the history and traditions of this country. I voted for conscription at the beginning of this war. I thought it was the wise thing to do. I still think we did the wise thing. But I do not believe in conscription as a permanent policy in time of peace for the maintenance of an army. I believe that policy does more to promote war among people and among nations than any other policy that nations have followed, and I believe this country could have done more for world peace if our representatives at the peace table had insisted that as a part of the disarmament policy there should be an express provision put in abolishing the policy of conscription for maintaining naval or military forces in time of peace than by insisting upon any other one thing. That, in my judgment, would have done more to insure peace among the nations of the earth than anything else. It means more to the homes of the land, to the fathers and mothers of the land; more to labor and to every class of people than any other policy. It would mean much to them to know that in time of peace no government on the face of the earth could reach out its strong arm and take of its boys and its manhood to maintain an armed military force. If the dread of conscription were lifted from the hearts and homes of the world as the result of this peace, men and women would, indeed, feel that this war had not been in vain. Mr. President, this reservation should be adopted.

The VICE PRESIDENT. The question is on the reservation offered by the Senator from Washington [Mr. JONES].

The reservation was rejected.

Mr. JONES of Washington. I did not ask for a ye-and-nay vote, for it would have involved calling for a quorum.

The VICE PRESIDENT. Are there further reservations to be offered as in Committee of the Whole?

Mr. JONES of Washington. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ball	Grenna	Lenroot	Ransdell
Borah	Hale	Lodge	Robinson
Brandegee	Harding	McCumber	Sheppard
Capper	Harris	McKellar	Smith, Md.
Chamberlain	Harrison	McNary	Smoot
Colt	Henderson	Moses	Spencer
Curtis	Hitchcock	Myers	Sterling
Dial	Johnson, Calif.	New	Sutherland
Dillingham	Johnson, S. Dak.	Newberry	Trammell
Edge	Jones, N. Mex.	Norris	Wadsworth
Elkins	Jones, Wash.	Nugent	Walsh, Mass.
Fernald	Kellogg	Owen	Walsh, Mont.
Fletcher	Kendrick	Penrose	Warren
France	Kenyon	Phelan	Watson
Frelinghuysen	Keyes	Phlips	Williams
Gay	Kirby	Pittman	
Gerry	Knox	Poindexter	
Gore	La Follette	Pomerene	

The VICE PRESIDENT. Sixty-eight Senators have answered to their names. There is a quorum present. Are there any further reservations to be offered as in Committee of the Whole?

I. INSURING TO ALL PEOPLES THE RIGHT OF SELF-GOVERNMENT.

Mr. LA FOLLETTE. Mr. President, I offer the reservation numbered 1 in the printed leaflet of reservations proposed by me.

The VICE PRESIDENT. The Secretary will read the proposed reservation.

The Secretary read as follows:

1. That nothing contained in article 11 of the league covenant, or any other provision thereof, shall be construed to deny to the people of Ireland, India, Egypt, Korea, or to any other people living under a Government which, as to such people, does not derive its powers from the consent of the governed, the right of revolution, or the right to alter or abolish such government, and to institute a new government, laying its foundations in such principles and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness.

Mr. LA FOLLETTE. Mr. President, in discussing this reservation, I wish to quote briefly from the addresses of President Wilson, made on his recent western trip.

At St. Louis, Mo., September 5, 1919, the President declared that—

every man who sat at that board (at Paris) held that the right of revolution was sacred and must not be interfered with. Any kind of a row can happen inside and it is nobody's right to interfere.

Again, at Pueblo, Colo., September 25, 1919, the President said:

There was not a man at that table who did not admit the sacredness of the right of self-determination, the sacredness of the right of any body of people to say that they would not continue to live under the Government they were then living under, and under article 11 of the covenant they are given a place to say whether they will live under it or not.

Now, Mr. President, I find myself in complete agreement with our Chief Executive in his avowal that the right of revolution is sacred.

But in his easy confidence that articles 10 and 11 amply protect that right, I am unable to share. I therefore offer this reservation, which protects in explicit terms the right which the President admits and which he professes he is anxious to protect. Certainly no man, sincere in his attachment to that right, can vote against such a safeguarding reservation.

In order to keep strictly within the time to which I have limited myself on each one of my proposed reservations I will simply say that article 11 of the covenant undoubtedly would be construed to bind the members of the league to suppress rebellion or revolution wherever rebellion or revolution may occur.

It provides that "any war" or even any "threat of war"—which, of course, includes rebellious and civil wars anywhere in the world—is the business of the league, and that the league shall take any action that may be deemed wise to preserve the peace; that is, to suppress the rebellion or put down the revolution.

Article 10 covers the whole field of wars of aggression and wars of nations against nations, so there can be no doubt that article 11 is intended and will be construed to bind us to aid Great Britain or any other imperialistic country to beat her unwilling subjects into submission.

The reservation proposed adopts the language of the Declaration of Independence, and simply prevents the United States from being obligated to help Great Britain put down rebellion in Ireland, in India, or Egypt, or elsewhere, or to help Japan or any other country engaged in exploiting weaker or less warlike people.

I want it clear upon the record that a vote against this reservation is a vote to line up the United States with the autocratic Governments of the world against the oppressed peoples of the world. It is a vote for a policy that would have doomed our Revolutionary War to failure and would have condemned George Washington and his associates as traitors and held the people of this country forever as vassals of Great Britain. It is in the final analysis a vote against the fundamental principle of the Declaration of Independence—the sacred right of revolution contended for by Jefferson and Lincoln. On this reservation I demand the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CURTIS (when his name was called). Again making announcement of my pair with the Senator from North Carolina [Mr. SIMMONS] I withhold my vote.

Mr. GERRY (when his name was called). I have a pair with the Senator from Michigan [Mr. TOWNSEND]. In his absence, I withhold my vote.



Mr. WATSON (when his name was called). I have a pair with the senior Senator from Delaware [Mr. WOLCOTT]. In his absence I withhold my vote. If I were at liberty to vote, I should vote "yea."

The roll call was concluded.

Mr. CURTIS. I desire to announce that the senior Senator from Massachusetts [Mr. LODGE] is paired with the senior Senator from Georgia [Mr. SMITH].

Mr. SMITH of Georgia (after having voted in the negative). I had risen to withdraw my vote. I find that the senior Senator from Massachusetts [Mr. LODGE], with whom I have a pair, has not voted. I therefore withdraw my vote.

Mr. CHAMBERLAIN. I have a pair with the junior Senator from Pennsylvania [Mr. KNOX]. In his absence I withhold my vote.

Mr. ROBINSON. I have a pair with the senior Senator from Iowa [Mr. CUMMINS]. I transfer that pair to the Senator from North Carolina [Mr. OVERMAN] and vote "nay."

Mr. CURTIS. I wish to announce that the Senator from Vermont [Mr. PAGE] is paired with the Senator from Alabama [Mr. BANKHEAD], and that the Senator from New York [Mr. CALDER] is paired with the Senator from Arizona [Mr. ASHURST].

The result was announced—yeas 24, nays 49, as follows:

#### YEAS—24.

Ball	France	La Follette	Penrose
Borah	Frelinghuysen	McCormick	Phipps
Brandagee	Gore	Moses	Reed
Capper	Gronna	New	Shields
Elkins	Johnson, Calif.	Newberry	Wadsworth
Fernald	Jones, Wash.	Norris	Walsh, Mass.

#### NAYS—49.

Beckham	Johnson, S. Dak.	Nugent	Stanley
Colt	Jones, N. Mex.	Owen	Sterling
Dial	Kellogg	Pittman	Sutherland
Dillingham	Kendrick	Polindexter	Swanson
Edge	Kenyon	Pomerene	Thomas
Fletcher	Keyes	Ransdell	Trammell
Gay	King	Robinson	Underwood
Hale	Kirby	Sheppard	Walsh, Mont.
Harding	Lenroot	Smith, Ariz.	Warren
Harris	McCumber	Smith, Md.	Williams
Harrison	McKellar	Smith, S. C.	
Henderson	McNary	Smoot	
Hitchcock	Myers	Spencer	

#### NOT VOTING—22.

Ashurst	Curtis	Nelson	Smith, Ga.
Bankhead	Fall	Overman	Townsend
Calder	Gerry	Page	Watson
Chamberlain	Knox	Phelan	Wolcott
Culberson	Lodge	Sherman	
Cummins	McLean	Simmons	

So Mr. LA FOLLETTE's reservation was rejected.

#### II. ABOLISHING CONSCRIPTION.

Mr. LA FOLLETTE. Mr. President, before I offer the next reservation I want to submit for about three or four minutes some brief observations, which, in order to bring myself within a limited compass and not to waste my time, I have reduced to writing.

Do we really want a league of nations that shall insure an enduring peace? If we do, let us have done with fine spun sophistries and get down to bedrock fundamentals. Let us have no more diplomatic evasion; no more rhetorical flimflam. Let us dig down through the mass of falsehood under which the war makers have buried the real cause of all war, pluck it forth, and destroy it forever.

The formula is simple because it is born of truth.

Embody in the international agreement to be entered into, those terms which the experience of mankind proves will prevent future war.

Exact from each contracting nation binding covenants, with proper guarantees, to—

First. Abolish enforced military service.

Second. Declare or make no war, except to repel actual invasion of territory, without first submitting the question of war, or no war, to a vote of the qualified electors of the country.

If you want real peace that is the way to get it. If you want an enduring peace you can assure it by putting into the league of nations covenant those provisions. If this really was a war for democracy—and nobody now seriously asserts that it was—let us by our votes redeem our promises by taking the war-making power out of the hands of the rulers in all countries and putting it into the hands of the people in all countries.

We do not need to restrain the peoples of different countries from making war upon each other. We do need to restrain the ruling class of every country from inciting or compelling its people to war upon those of some other country. That is the cause of all war.

Put this matter into the hands of the people and they will speedily take care of the question of disarmament, both on

land and on sea. They have no profits to make and no ambitions to further by the maintenance of a large army in time of peace. On the contrary, since the people must pay the bills for the Military Establishment they have every reason to see it reduced to the minimum even in time of peace. In time of war they have learned by bitter experience that theirs is the blood and treasure which is sacrificed, while the more favored classes reap the profits and the honors. The people, therefore, readily see what "statesmen" and "diplomats" apparently can not discern, namely, that if any country in the league of nations has an army or a navy substantially superior to that of the other countries, then the league of nations might better not exist, for it will make for war and not for peace. The people of this country can also be trusted to see so plain a thing as that we are concerned less about the size of the standing army than any European country may maintain than we are concerned about the size of the navy that any European country may maintain. That is the more important question.

The navy of one country of the league of nations—which, of course, to be effective must include all the great nations of the world—does not need to overmatch or, indeed, equal the combined strength of the other navies in order to make a mockery of the league. It only needs to be powerful enough so that, in combination with the navy of one or possibly two other countries, whose interests may be identical or similar in the case of any particular controversy, it can bid defiance to the combined naval strength of the remaining members of the league. A nation with a navy thus superior would bend every other nation in the league to its will. It would be immune to those restrictions which would be enforced against a weaker country, since the resistance of the latter, either alone or in combination, would not be feared. It would simply be the bully of the high seas. The naval supremacy of one nation of the league spells defeat for the entire plan.

The representatives of the United States at the peace conference surrendered without a protest to Great Britain that supreme privilege of having the Navy that should dominate the seven seas. It was the boast of Lloyd-George, made in June, 1917, shortly after we had entered the war, in his Glasgow speech, that Great Britain would rule the waves during the war and after the war; and Woodrow Wilson, without so much as an audible protest, surrendered to Great Britain the right to dominate the seas.

The right to dominate the seas is the right to dominate commerce, the right to dominate trade routes, the right to be master of the industrial and commercial world. That has been given away by the self-chosen representative of the people of the United States at the peace conference, and the Senate is about to ratify, cringing and abjectly, the work of that representative.

Mr. President, the remedy is plain, if we desire to have a remedy for this sort of thing and to apply it. No nation must be permitted to maintain either an army or a navy so formidable that either alone or in combination with other countries likely to be united with it in interest will it be able to become a menace to the naval or military strength of the league.

I have reservations yet to be voted upon here which will, if adopted, save the United States from committing itself to the surrender to Great Britain and the other powers of the right to maintain naval and military establishments that will permit them to dominate the world. The reservation I now propose requires disarmament both upon the land and upon the high seas.

Shall we forget that we gave to the world as the moving reason for our going into the Great War the interference with our rights upon the high seas? Has any Senator in this Chamber, has any citizen of this country forgotten the rhetorical fulminations that emanated from Woodrow Wilson about the sacredness of our rights upon the seas—open pathways of commerce; the right to pursue our commerce peacefully and without interruption?

That was followed, Mr. President, by an appeal to Congress to challenge Germany to war because in trying to protect her people against starvation she had sunk three or four vessels. So we went to war for our sea rights. We did not conduct a war to maintain our sea rights. If we had, we would have had a naval war. But no; we opened, under the leadership of our Chief Magistrate, the dreamland of pursuing democracy into every quarter and corner of the globe; we conducted a land war in a foreign country; and after having made the issue upon our rights on the sea, we threw that into the dust heap and permitted Great Britain to come out of this war with the right to dominate the seas.

Sir, if we taxed our people—on top of the \$30,000,000,000 of war taxes already imposed upon them—to the last limit of

endurance, we could not catch up with Great Britain in her naval equipment in a period of 50 years. She will dominate the seas unless you adopt some provision here that will require a limitation. I have offered some reservations to that end.

Now, Mr. President, I propose reservation No. 2, and ask the Secretary to read it. I presume that will not come out of my time.

The PRESIDING OFFICER (Mr. WADSWORTH in the chair). The reservation proposed by the Senator from Wisconsin will be read.

The Secretary read as follows:

2. The United States hereby gives notice that it will withdraw from the league at the end of one year from the date of the exchange of ratifications of this treaty, unless within that time each member of the league shall abolish and discontinue the policy of maintaining its army or navy in time of peace by conscription.

The PRESIDING OFFICER. The question is upon the reservation offered by the Senator from Wisconsin.

Mr. LA FOLLETTE. Mr. President, the vote upon this proposed reservation will give Senators an opportunity to record themselves for or against the policy of maintaining armies in time of peace by conscription.

The people of this country, having just fought a war to crush militarism in Germany, are not in favor of setting up a system in this country similar to that which has been destroyed abroad. The reservation I have proposed serves notice that the United States will retire from the league unless all members take the first step toward ending war by abolishing conscription. A vote against this reservation is a vote for conscription. Upon this reservation I ask for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays have been requested. Is there a second.

Mr. GERRY. I suggest the absence of a quorum.

Mr. LA FOLLETTE. I should like—

The PRESIDING OFFICER. There seemed to have been a sufficient number to second the demand, and the presiding officer was about to announce that fact when the Senator from Rhode Island suggested the absence of a quorum.

Mr. LA FOLLETTE. I do not think that the count and announcement can be interrupted in that way. I ask for a report upon the demand made by me.

The PRESIDING OFFICER. There were a sufficient number to second the demand.

Mr. LA FOLLETTE. And the roll call is ordered?

The PRESIDING OFFICER. Yes; the yeas and nays are ordered.

Mr. LA FOLLETTE. Now, the Senator from Rhode Island can have a roll call, if he wants it.

Mr. GERRY. I think I am entitled to have it anyway, Mr. President.

Mr. LA FOLLETTE. Well, I will ask for it in order to assure a good attendance here.

The PRESIDING OFFICER. Does the Senator from Wisconsin suggest the absence of a quorum?

Mr. LA FOLLETTE. Yes, I do.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ball	Hale	McKellar	Shields
Capper	Harding	McNary	Smith, Md.
Chamberlain	Harris	Moses	Smith, S. C.
Colt	Jones, Wash.	Newberry	Smoot
Curtis	Kellogg	Norris	Spencer
Dillingham	Kenyon	Nugent	Sutherland
Fernald	Keyes	Overman	Swanson
Fletcher	King	Owen	Trammell
France	Kirby	Penrose	Underwood
Frelinghuysen	Knox	Phipps	Wadsworth
Gay	La Follette	Pittman	Walsh, Mass.
Gerry	Lenroot	Poindexter	Warren
Gore	McCormick	Reed	Watson
Gronna	McCumber	Sheppard	

Mr. CURTIS. I again desire to announce the pair of the Senator from Massachusetts [Mr. LODGE] with the Senator from Georgia [Mr. SMITH].

The PRESIDING OFFICER. Fifty-five Senators having answered to their names, there is a quorum present.

Mr. LA FOLLETTE. Mr. President, I ask that the pending reservation be stated to the Senate before the roll call which has been ordered takes place.

The PRESIDING OFFICER. The Secretary will state reservation No. 2, offered by the Senator from Wisconsin.

The Secretary read as follows:

2. The United States hereby gives notice that it will withdraw from the league at the end of one year from the date of the exchange of ratifications of this treaty, unless within that time each member of the league shall abolish and discontinue the policy of maintaining its army or navy in time of peace by conscription.

The PRESIDING OFFICER. On this reservation the yeas and nays have been called for and ordered. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. CURTIS (when his name was called). Again announcing my pair with the Senator from North Carolina [Mr. SIMMONS], I withhold my vote.

Mr. GERRY (when his name was called). Making the same announcement as on the last roll call, I withhold my vote.

Mr. CURTIS (when Mr. LODGE's name was called). I again announce that the Senator from Massachusetts [Mr. LODGE] is paired with the Senator from Georgia [Mr. SMITH].

Mr. ROBINSON (when his name was called). I have a pair with the Senator from Iowa [Mr. CUMMINS]. If I were at liberty to vote, I should vote "nay."

Mr. WATSON (when his name was called). I have a general pair with the senior Senator from Delaware [Mr. WOLCOTT]. In his absence, I withhold my vote. If I were at liberty to vote, I should vote "yea."

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from New York [Mr. CALDER] with the Senator from Arizona [Mr. ASHURST]; and

The Senator from Vermont [Mr. PAGE] with the Senator from Alabama [Mr. BANKHEAD].

The roll call having been concluded, the result was announced—yeas 21, nays 54, as follows:

#### YEAS—21.

Borah	Gore	Knox	Reed
Brandeggee	Gronna	La Follette	Sherman
Capper	Harding	McCormick	Walsh, Mass.
Fernald	Johnson, Calif.	Moses	
France	Jones, Wash.	Norris	
Frelinghuysen	Kenyon	Penrose	

#### NAYS—54.

Ball	Johnson, S. Dak.	Nugent	Spencer
Beckham	Jones, N. Mex.	Overman	Stanley
Chamberlain	Kellogg	Phelan	Sterling
Colt	Kendrick	Phipps	Sutherland
Dial	Keyes	Pittman	Swanson
Dillingham	King	Poindexter	Thomas
Edge	Kirby	Pomerene	Trammell
Fletcher	Lenroot	Ransdell	Underwood
Gay	McCumber	Sheppard	Wadsworth
Hale	McKellar	Shields	Walsh, Mont.
Harris	McNary	Smith, Ariz.	Warren
Harrison	Myers	Smith, Md.	Williams
Henderson	New	Smith, S. C.	
Hitchcock	Newberry	Smoot	

#### NOT VOTING—20.

Ashurst	Curtis	McLean	Simmons
Bankhead	Elkins	Nelson	Smith, Ga.
Calder	Fall	Owen	Townsend
Culberson	Gerry	Page	Watson
Cummins	Lodge	Robinson	Wolcott

So reservation No. 2, offered by Mr. LA FOLLETTE, was rejected.

#### III. GIVING THE PEOPLE OF ALL NATIONS A REFERENDUM VOTE ON WAR.

Mr. LA FOLLETTE. I offer now reservation No. 3, page 2 of the leaflet, on which is printed the reservations that I submitted and which I gave notice that I would call up.

The PRESIDING OFFICER. The Secretary will read the proposed reservation.

The Secretary read as follows:

3. The United States hereby gives notice that it will withdraw from the league at the end of five years from the date of the exchange of ratifications of this treaty, unless within that time each member of the league shall have agreed that in no case will it resort to war except to suppress an insurrection or repel an actual invasion of its territory until an advisory vote of its people has first been taken on the question of peace or war.

Mr. LA FOLLETTE. Mr. President, there is an opportunity here now to test the genuineness of the professions made that this was a "war to end war."

If that was not a hypocritical pretense, then there should be embodied somewhere in the covenant that creates this league of nations and defines its power some provision with respect to leaving to the people who are to fight the wars and pay the debts which war entails some voice in the determination of whether or not the war shall be fought.

I tender this reservation as defining that issue, and on it, Mr. President, knowing well what its fate will be here, but having faith as to what this issue may mean when it is presented to the people of the country, as it will be, I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CURTIS (when his name was called). Making the same announcement as before in reference to my pair, I withhold my vote.



Mr. GERRY (when his name was called). I make the same announcement of my pair as on the last vote, and withhold my vote.

Mr. CURTIS (when the name of Mr. SMITH of Georgia was called). I announce the pair of the Senator from Massachusetts [Mr. LODGE] with the Senator from Georgia [Mr. SMITH]. The roll call was concluded.

Mr. GERRY. I wish to announce that the Senator from Nebraska [Mr. HITCHCOCK], the Senator from Arizona [Mr. ASHURST], and the Senator from Georgia [Mr. SMITH] are necessarily absent.

Mr. CURTIS. I have been requested to announce that the Senator from Vermont [Mr. PAGE] is paired with the Senator from Alabama [Mr. BANKHEAD], and that the Senator from New York [Mr. CALDER] is paired with the Senator from Arizona [Mr. ASHURST].

Mr. KIRBY. I announce the necessary absence of the senior Senator from Arkansas [Mr. ROBINSON], who is paired with the senior Senator from Iowa [Mr. CUMMINS].

The result was announced—yeas 13, nays 58, as follows:

## YEAS—13.

Borah	Fernald	Jones, Wash.	Sherman
Brandegee	France	La Follette	
Capper	Gore	Norris	
Elkins	Gronna	Penrose	

## NAYS—58.

Beckham	Jones, N. Mex.	Nugent	Spencer
Chamberlain	Kellogg	Overman	Stanley
Colt	Kendrick	Owen	Sterling
Dial	Kenyon	Phipps	Sutherland
Dillingham	Keyes	Pittman	Swanson
Edge	King	Polindexter	Thomas
Fletcher	Kirby	Pomerene	Trammell
Frelinghuysen	Lenroot	Ransdell	Underwood
Gay	McCumber	Reed	Wadsworth
Hale	McKellar	Sheppard	Walsh, Mass.
Harding	McNary	Shields	Walsh, Mont.
Harris	Moses	Smith, Ariz.	Warren
Harrison	Myers	Smith, Md.	Williams
Henderson	New	Smith, S. C.	
Johnson, S. Dak.	Newberry	Smoot	

## NOT VOTING—24.

Ashurst	Curtis	Lodge	Robinson
Ball	Fall	McCormick	Simmons
Bankhead	Gerry	McLean	Smith, Ga.
Calder	Hitchcock	Nelson	Townsend
Culberson	Johnson, Calif.	Page	Watson
Cummins	Knox	Phelan	Wolcott

So Mr. LA FOLLETTE's reservation No. 3 was rejected.

## IV. LIMITATION OF ARMAMENTS.

Mr. LA FOLLETTE. I offer reservation numbered 4 of the reservations printed on the leaflet, which I have heretofore presented to the Senate and had read.

The VICE PRESIDENT. The Secretary will read the proposed reservation.

The Secretary read as follows:

4. The United States hereby gives notice that it will withdraw from the league of nations at the end of any year during a period of five years from the date of the exchange of ratifications of this treaty, unless during each and every year of the five-year period every member of the league now expending in excess of \$50,000,000 for the maintenance of its military forces or in excess of a like sum for the maintenance of its naval establishment shall fail to reduce such expenditures by a sum equal to one-fifth of the amount, by which the total annual expenditure for the maintenance of military forces or naval establishment, respectively, exceeds the sum of \$50,000,000 for either, to the end that by the close of the period of five years from the date of the exchange of ratifications of this treaty no member of the league of nations shall expend for the maintenance of its military forces or its naval establishment, respectively, an amount in excess of \$50,000,000 per annum; and the United States gives notice that it will withdraw from the league of nations at the end of any year thereafter whenever any member expends for the maintenance of its military forces or its naval establishment, respectively, an amount in excess of \$50,000,000 per annum.

Mr. LA FOLLETTE. Mr. President—

Mr. REED. Mr. President, I should like to ask the Senator a question. Suppose this applied to nations inside of the league, and suppose the great nations remaining outside of the league do not cut down their military departments, what then?

Mr. LA FOLLETTE. Then the combination of the nations inside of the league, with their 50,000,000 men, would snuff them out of existence.

Mr. REED. I think not.

Mr. LA FOLLETTE. There are only three or four nations outside of the league.

Mr. REED. No; more than half the white people of Europe.

Mr. LA FOLLETTE. Oh, yes; but you have stripped—but I do not want this to come out of my time. I ask for a yea-and-nay vote on this proposition.

The yeas and nays were ordered.

The VICE PRESIDENT. The question is on agreeing to the fourth reservation offered by the Senator from Wisconsin, and

on that the yeas and nays have been ordered. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. CURTIS (when his name was called). I announce my pair with the senior Senator from North Carolina [Mr. SIMMONS] and withhold my vote.

Mr. ROBINSON (when his name was called). I have a pair with the senior Senator from Iowa [Mr. CUMMINS]. He is absent. I therefore withhold my vote.

Mr. SMITH of Georgia (when his name was called). I have a pair with the senior Senator from Massachusetts [Mr. LODGE]. In his absence I withhold my vote. If at liberty to vote, I would vote "nay."

The roll call was concluded.

Mr. GERRY. Making the same announcement of my pair as on previous votes, I withhold my vote.

Mr. ROBINSON. I transfer my pair with the senior Senator from Iowa [Mr. CUMMINS] to the senior Senator from California [Mr. PHELAN] and vote "nay."

Mr. CURTIS. I wish to announce that the Senator from Vermont [Mr. PAGE] is paired with the Senator from Alabama [Mr. BANKHEAD], and that the Senator from New York [Mr. CALDER] is paired with the Senator from Arizona [Mr. ASHURST].

Mr. GERRY. The Senator from Arizona [Mr. ASHURST] is necessarily absent from the Senate.

The result was announced—yeas 10, nays 60, as follows:

## YEAS—10.

Borah	Elkins	Johnson, Calm.	Penrose
Brandegee	France	La Follette	
Capper	Gronna	Norris	

## NAYS—60.

Ball	Henderson	Moses	Smith, S. C.
Beckham	Hitchcock	New	Smoot
Chamberlain	Johnson, S. Dak.	Newberry	Spencer
Colt	Jones, Wash.	Nugent	Stanley
Dial	Kellogg	Overman	Sterling
Dillingham	Kendrick	Owen	Sutherland
Edge	Kenyon	Phipps	Swanson
Fletcher	Keyes	Pittman	Thomas
Frelinghuysen	King	Polindexter	Trammell
Gay	Kirby	Pomerene	Underwood
Gore	Knox	Reed	Wadsworth
Hale	Lenroot	Robinson	Walsh, Mass.
Harding	McCumber	Sheppard	Walsh, Mont.
Harris	McKellar	Smith, Ariz.	Warren
Harrison	McNary	Smith, Md.	Williams

## NOT VOTING—25.

Ashurst	Fernald	Nelson	Smith, Ga.
Bankhead	Gerry	Page	Townsend
Calder	Jones, N. Mex.	Phelan	Watson
Culberson	Lodge	Ransdell	Wolcott
Cummins	McCormick	Sherman	
Curtis	McLean	Shields	
Fall	Myers	Simmons	

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Vermont [Mr. PAGE] with the Senator from Alabama [Mr. BANKHEAD]; and

The Senator from New York [Mr. CALDER] with the Senator from Arizona [Mr. ASHURST].

So Mr. LA FOLLETTE's reservation No. 4 was rejected.

## V. PREVENTION OF FORCIBLE ANNEXATIONS.

Mr. LA FOLLETTE. Mr. President, I now offer the reservation numbered 5 on the leaflet which I have sent to the desk.

The VICE PRESIDENT. The Secretary will read the proposed reservation.

The Secretary read as follows:

5. The United States hereby gives notice that it will withdraw from the league of nations whenever any member or members of the league of nations shall attempt to acquire the whole or any part of the territory of any member or of any nation not a member of the league of nations against the will and without the full and free consent of the people of such member or of such nation not a member of the league of nations.

Mr. LA FOLLETTE. Mr. President, just one sentence. This reservation simply gives notice that we will not stay in the league of nations and be made a party to the forcible seizure of the territory of weaker peoples. On this reservation I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CURTIS (when his name was called). Making the same announcement as on previous votes, I withhold my vote.

Mr. GERRY (when his name was called). Making the same announcement of my pair that I previously made, I withhold my vote.

The roll call was concluded.

Mr. JOHNSON of South Dakota (after having voted in the negative). I have a pair with the Senator from Maine [Mr. FERNALD]. I notice that he is not present. I therefore withhold my vote.

Mr. ROBINSON. I have a pair with the senior Senator from Iowa [Mr. CUMMINS] which I transfer to the senior Senator from Nevada [Mr. PITTMAN], and vote "nay."

The result was announced—yeas 19, nays 51, as follows:

## YEAS—19.

Ball	France	Kenyon	Norris
Borah	Gore	Knox	Penrose
Brandeggee	Gronna	La Follette	Reed
Capper	Johnson, Calif.	Lodge	Walsh, Mass.
Elkins	Jones, Wash.	Moses	

## NAYS—51.

Beckham	Henderson	Nugent	Smoot
Chamberlain	Hitchcock	Overman	Spencer
Colt	Kellogg	Phelan	Stanley
Dial	Keyes	Phipps	Sterling
Dillingham	King	Poinexter	Sutherland
Edge	Kirby	Pomerene	Swanson
Fletcher	Lenroot	Ransdell	Thomas
Frelinghuysen	McCumber	Robinson	Trammell
Gay	McKellar	Sheppard	Underwood
Hale	McNary	Smith, Ariz.	Walsh, Mont.
Harding	Myers	Smith, Ga.	Warren
Harris	New	Smith, Md.	Williams
Harrison	Newberry	Smith, S. C.	

## NOT VOTING—25.

Ashurst	Fernald	Nelson	Townsend
Bankhead	Gerry	Owen	Wadsworth
Calder	Johnson, S. Dak.	Page	Watson
Culberson	Jones, N. Mex.	Pittman	Wolcott
Cummins	Kendrick	Sherman	
Curtis	McCormick	Shields	
Fall	McLean	Simmons	

So Mr. LA FOLLETTE's reservation No. 5 was rejected.

## VI. PROHIBITING THE USE OF MANDATES OVER WEAKER STATES FOR EXPLOITATION OF THE INHABITANTS AND RESOURCES OF THE COUNTRY.

Mr. LA FOLLETTE. Mr. President, I now offer the reservation numbered 6, which is the last of the reservations that I shall propose.

The VICE PRESIDENT. The Secretary will read the proposed reservation.

The Secretary read as follows:

6. The United States hereby gives notice that it will withdraw from the league of nations whenever any member, exercising a mandate or a protectorate over any country, or claiming and exercising a sphere of influence in or over any country, shall, without the free and full consent of the people of such country, appropriate the natural resources thereof, or shall, directly or indirectly, aid any individual or corporation alien to such country to acquire any right or title to, or any concession in its natural resources, or right or title to its property, real or personal, or shall fail or neglect, within such authority or influence as it may properly exercise, to preserve in trust for the people of such country all right and title to and in its natural resources and real and personal property, or shall fail to exercise such mandate, protectorate, or sphere of influence over such country for the sole benefit of the people thereof.

Mr. LA FOLLETTE. Mr. President, the league covenant parcels out hundreds of millions of people called weak and unable to take care of themselves to become the wards of different members of the league under what are called mandates. This action is taken upon the assumption that these people need a guardianship; and it is proposed to extend this guardianship over them through the league of nations.

Mr. President, the reservation which I have offered makes the trust binding upon the league of nations. It provides that the great powers acting as mandatories shall take care of these weaker nations as wards and take care of their property as a sacred trust; that the wards shall not be robbed. That is all there is to it.

If this be not a scheme to exploit the weaker nations, to take away from them their coal and their oil and all of their natural resources, under the pretense of development, for the benefit of those who have the mandates, then you will adopt this reservation. If you are in favor of robbing these people—these weaker nations—through mandates, you will vote down the reservation that I have offered. On this reservation I ask for the yeas and nays.

Mr. McCORMICK. Mr. President, there is certainly no one who is more firmly convinced than am I that the whole section or sermon or mandatories in the covenant of the league is a shabby sham; but, nevertheless, I for one, desiring that we should have no part in this covenant of duplicity, do not feel that I ought to support a reservation which seeks to dictate to the other nations how they should conduct themselves.

Mr. LA FOLLETTE. Mr. President, before the Senator from Illinois sits down, if he will permit me in his time—

Mr. McCORMICK. In my time; yes.

Mr. LA FOLLETTE. All that this reservation proposes to do if we go into this league is to serve notice upon the other members of the league that unless they treat this as a sacred trust we will withdraw from the league.

Mr. McCORMICK. Mr. President, I share the view of the Senator from Wisconsin as to the character of these mandates;

but I can not bring myself to vote for a reservation which appears to me to dictate the conduct of the members of the league as regards these weaker peoples.

Mr. LA FOLLETTE. Mr. President, in my own time I will merely say in response that all that this reservation says to the members of this compact is, "If we go into this thing, you shall agree that the administration of the property of these wards shall be honest." That is the reservation and all there is to it; that "you shall be honest and shall discharge your trust or we will not join you." I am unable to understand how the Senator from Illinois or any Senator can say that that is a dictation to the other members of the league, further than any man who joined in the execution of a trust ought to dictate that if he is to be made a party to the trust the trust shall be faithfully discharged. That is all the reservation does.

Mr. President, I ask for the yeas and nays, unless some other Senator desires to speak.

Mr. KING. Mr. President, it seems to me that the logic of the Senator from Wisconsin is somewhat faulty. The league of nations, under the plan which has been devised, is to assume a mandatory control over the peoples inhabiting certain colonies and territories formerly belonging to members of the Central Empires with which our country and the allied nations were at war. These colonies and peoples form a sacred trust of civilization, and the obligation rests upon these nations to whom Germany ceded her colonies, by the terms of the treaty, to see that this trust is scrupulously performed.

The contention of the Senator rests upon the theory that if a trustee violates his trust and robs the cestui que trust, then his cotrustees should flee and thus aid him in his perfidy or defalcation. It seems to me that the duty of the other trustees, the other members of the league, is to watch the trustees designated and provided in the league, and if one of them attempts to default, if one of them attempts to impose upon the ward intrusted to its care, if one of them attempts to rob and plunder the ward, that it should be the sacred duty of the other trustees to more earnestly devote themselves to the discharge of their duties and to the protection of the peoples wronged or oppressed. They should insist that the nations named as trustees or mandatories should live up to the letter and spirit of the trust and administer the affairs of the colonies intrusted to their care in a just and righteous manner and for the security and advancement of the inhabitants thereof.

Of course, every trustee assumes the obligation or the duties of his position with the asseveration upon his lips that he is going to be honest, that he is going to discharge with fidelity the trust committed to his care; but the courts and those who are connected with him, because of that asseveration, do not release him from observation and the obligations the law imposes.

If they detect that he is defaulting or is guilty of any delinquency, they increase their vigilance and stretch out their arms and bring him to a realization of his obligations, and, if necessary, to the bar of justice.

It seems to me, Mr. President, that the plan of the Senator from Wisconsin is one which should not commend itself to the judgment of practical and rational men.

The title to the German colonies is vested by the treaty in the associated and allied nations. It was understood by Germany when she signed the treaty that the people residing within such possessions should be protected and their rights guarded. The United States should insist that the terms of the treaty be observed and that every nation acting as a mandatory should scrupulously guard the interests of those subject to the control conferred by the treaty. If this Nation should withdraw from the league because a mandatory nation failed in its duty, it would be condoning a wrong and aiding in the continuation of a wrong.

Suppose that the league of nations becomes operative and Great Britain or Japan or France becomes a mandatory of the league and has given to its care the custody of one of the colonies of Germany or Turkey, with the weak and feeble people therein, and suppose that such mandatory should become imbued with imperialistic designs or by selfish, lustful desires, and utterly fails to discharge its obligations, and seeks the exploitation of the people and their enslavement. Instead of the United States withdrawing from the league the United States ought to stretch forth its puissant arm and say to the mandatory, "You must discharge the duty resting upon you or we will bring you before the bar of justice and the council of the league, and before the public opinion of the world, and brand you as a nation that has failed to discharge a sacred obligation and a trust affecting the welfare of weak and helpless peoples." By this course the United States would serve humanity and restrain imperialism and oppression and compel the performance of a duty arising from obligations solemnly entered into.



Mr. LA FOLLETTE. Mr. President, that comes as a beautiful theory from a Senator who on this floor, every time the occasion has been presented, has voted to deprive the United States of having an equal number of votes with Great Britain, the one member of the league that is in a position to reap the richest possible results from the mandatory system.

There is no better way to impress upon the nations who take mandates that the condemnation of this Government, when it becomes a member, will be visited upon them unless they discharge their duty than to announce and write into the resolution of ratification that in the event of their default the United States will withdraw. We will be outnumbered. We are taking none of these mandates that have benefits attached. We are not going into the business of destroying weaker peoples; the other nations are, as I showed in the speech that I delivered this afternoon, as will appear in the RECORD. Mr. President, we will have one vote there to bring these nations to terms and make them execute their sacred trust, and we will be voted down. What then?

Mr. President, they want us in this league; they want us very badly, because they have imposed upon us very great burdens. They expect us to furnish the troops that are needed; they expect us to back financially all of the undertakings of the league; and if we impose conditions upon our entering they will accept those conditions. If we impose the condition that this league shall not be converted into a system of robbing all of the weaker nations of the earth, and get that recognized at the outset, we may possibly be able to hold them to a somewhat decent execution of the trust that is committed to them.

Mr. REED. Mr. President, I do not wish to let this moment pass without trying to say in two minutes what I should like to say at length. This entire treaty is filled up with catchwords and soft phrases calculated to mask villainous intents. Among these is the gentle word "mandatory." A mandate, however, means nothing but the military occupancy of the territory of a conquered people; it is a power to be enforced by fire and sword; it bears no relationship whatever to a trust; and when we speak of beneficence in connection with it it is like speaking of the acts of Satan in the gentle language of eulogy.

Certain of the great nations have seized all of the habitable world that was incapable of defending itself; they propose to establish themselves in rulership over it; and they denominate that rulership a mandatory, but they will hold all their possessions by armed bodies, and it is proposed to put back of those armed bodies the entire strength of all the armies and all the navies of all the great members of the league. That is all there is to this mandatory business. It is another hypocritical pretense; it is another mask for infamy and theft, and when we talk about it here in the Senate as though it were a sacred trust to be sacredly executed we mock the facts and we insult our own intelligence.

Mr. LA FOLLETTE. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CURTIS (when his name was called). I make the same announcement as on the previous roll call, and withhold my vote.

The roll call was concluded.

Mr. GERRY. Making the same announcement as before, I withhold my vote.

Mr. ROBINSON. Again announcing my pair with the Senator from Iowa [Mr. CUMMINS], I transfer that pair to the Senator from Nevada [Mr. PITTMAN] and vote "nay."

Mr. GERRY. I transfer my pair with the Senator from Michigan [Mr. TOWNSEND] to the Senator from Oklahoma [Mr. OWEN] and vote "nay."

Mr. HENDERSON (after having voted in the negative). Has the junior Senator from Illinois [Mr. MCCORMICK] voted?

The VICE PRESIDENT. He has not.

Mr. HENDERSON. I have a general pair with the junior Senator from Illinois, and withdraw my vote.

The result was announced—yeas 23, nays 51, as follows:

## YEAS—23.

Borah	Frelinghuysen	La Follette	Philpps
Brandeggee	Gronna	Lodge	Reed
Capper	Johnson, Calif.	Moses	Sherman
Elkins	Jonas, Wash.	New	Wadsworth
Fernald	Kenyon	Newberry	Walsh, Mass.
France	Knox	Penrose	

## NAYS—51.

Ball	Gay	Jones, N. Mex.	McKellar
Beckham	Gerry	Kellogg	McNary
Chamberlain	Hale	Kendrick	Myers
Colt	Harding	Keyes	Nugent
Dal	Harris	King	Overman
Dillingham	Harrison	Kirby	Phelan
Edge	Hitchcock	Lenroot	Polindexter
Fletcher	Johnson, S. Dak.	McCumber	Pomereene

Ransdell  
Robinson  
Sheppard  
Smith, Ariz.  
Smith, Ga.

Smith, Md.  
Smith, S. C.  
Smoot  
Spencer  
Stanley

Sterling  
Sutherland  
Swanson  
Thomas  
Trammell

Underwood  
Walsh, Mont.  
Warren  
Williams

## NOT VOTING—21.

Ashurst  
Bankhead  
Calder  
Culbertson  
Cummins  
Curtis

Fall  
Gore  
Henderson  
McCormick  
McLean  
Nelson

Norris  
Owen  
Page  
Pittman  
Shields  
Simmons

Townsend  
Watson  
Wolcott

So Mr. LA FOLLETTE's proposed reservation No. 6 was rejected. Mr. WALSH of Massachusetts. Mr. President, I move the fourth of the reservations offered by me, which I ask the Secretary to read.

The VICE PRESIDENT. The reservation will be stated.

The Secretary read as follows:

4. The provisions of article 11 shall in no respect abridge the rights of free speech, the liberty of the press, and the advocacy of the principles of national independence and self-determination of any people or peoples; and no circumstance directly related to the enjoyment of any of the aforesaid rights shall be construed as providing any member of the league with cause to declare that the exercise of such aforesaid rights as heretofore construed under the provisions of the Constitution of the United States warrants the assembly or council in determining what course of action, legal measures of control, or regulation shall be enforced or prescribed by the United States.

Mr. WALSH of Massachusetts. Mr. President, at this late hour, and with the Senate very tired, I do not propose to make any speech upon this reservation. I do not, however, want the brevity of my remarks to be construed to indicate that I do not consider it a very important reservation.

The language of article 11 is broad in its scope. Under it almost any circumstance likely to disturb the good understanding between nations may be brought up for consideration. It seems to me there are some fundamental American rights that ought to be reserved, such as free speech, freedom of the press, and the advocacy of the principle of national independence and self-determination.

On a previous occasion I pointed out the fact that certain domestic questions may, under certain circumstances, become questions of great international importance; and it is very possible that our right of free speech and the freedom of the press, and especially the advocacy of national independence here by people from other countries, may become a circumstance of very great and serious international importance.

It seems to me that we ought not to leave the door so wide open and the provisions of article 11 so broad as by any possibility to have fundamental American rights put in jeopardy or subject to review by the league, or even leave it open to have advice given us by the league of nations as to our exercise and enjoyment of these rights. This reservation, therefore, seeks to remove any possibility of the abridgment by the league of nations of these inalienable American rights; and I think the least that the Senate should do is to reserve from consideration under article 11 these precious rights that always have been prized and considered of inestimable value by the American people.

In a word, the reservation I propose seeks to prevent any abridgment through this covenant of certain fundamental American rights and restricts the consideration of circumstances which relate to the enjoyment of the rights of free speech, liberty of the press, and the advocacy of the principle of national independence of any people.

Mr. JOHNSON of California. Mr. President, I make my apologies to the Senate for detaining it for even a minute, but I want the RECORD to show what became of the principle of self-determination at Paris. In order that the RECORD may show that fact, I read the original article which was transmuted ultimately into article 10, taken by President Wilson to Paris, and which contained the principle of self-determination, and contained it in words there was no mistaking.

Here is the original article taken by the President to Paris. It is article 3:

The contracting powers unite in guaranteeing to each other political independence and territorial integrity; but it is understood between them that such territorial readjustments, if any, as may in the future become necessary by reason of changes in present racial conditions and aspirations or present social and political relationships, pursuant to the principle of self-determination, and also such territorial readjustments as may in the judgment of three-fourths of the delegates be demanded by the welfare and manifest interest of the peoples concerned, may be effected if agreeable to those peoples, and that territorial changes may in equity involve material compensation. The contracting powers accept without reservation the principle that the peace of the world is superior in importance to every question of political jurisdiction or boundary.

That is the original article 10. That is the article 10 taken by President Wilson to Paris. That article 10 provides for re-

adjustment on the principle of self-determination. I read, that it may be in juxtaposition, the present article 10:

The members of the league undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all members of the league. In case of any such aggression, or in case of any threat or danger of such aggression, the council shall advise upon the means by which this obligation shall be fulfilled.

The President took to Paris a means whereby, under the principle of self-determination, there should be readjustments. That principle was eliminated. He took there his method of readjustment upon that principle. He came back without the principle of self-determination and with a scheme under which there could be no readjustments at all.

The VICE PRESIDENT. The question is on agreeing to the reservation offered by the Senator from Massachusetts [Mr. WALSH]. On that the yeas and nays have been requested.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CURTIS (when his name was called). I again announce my pair with the senior Senator from North Carolina [Mr. SIMMONS]. Were I permitted to vote, I should vote "yea."

Mr. WATSON (when his name was called). In the absence of my pair, the senior Senator from Delaware [Mr. WOLCOTT], I withhold my vote. If permitted to vote, I should vote "yea."

The roll call was concluded.

Mr. GERRY. I have a pair with the senior Senator from Michigan [Mr. TOWNSEND]. I therefore withhold my vote.

Mr. ROBINSON. I transfer my pair with the senior Senator from Iowa [Mr. CUMMINS] to the junior Senator from Oklahoma [Mr. OWEN] and vote "nay."

Mr. CURTIS. I transfer my pair with the senior Senator from North Carolina [Mr. SIMMONS] to the senior Senator from New York [Mr. WADSWORTH] and vote "yea."

I have been requested to announce the following pairs:

The Senator from New York [Mr. CALDER] with the Senator from Arizona [Mr. ASHURST];

The Senator from Vermont [Mr. PAGE] with the Senator from Alabama [Mr. BANKHEAD]; and

The Senator from New Mexico [Mr. FALL] with the Senator from Wyoming [Mr. KENDRICK].

The result was announced—yeas 36, nays 42, as follows:

#### YEAS—36.

Ball	Frelinghuysen	McCormick	Reed
Borah	Gore	McLean	Sherman
Brandeggee	Gronna	Moses	Shields
Capper	Johnson, Calif.	New	Smith, Ga.
Curtis	Jones, Wash.	Newberry	Smoot
Dillingham	Kenyon	Norris	Spencer
Elkins	Knox	Penrose	Sutherland
Fernald	La Follette	Phelan	Walsh, Mass.
France	Lodge	Phipps	Warren

#### NAYS—42.

Beckham	Hitchcock	McNary	Smith, S. C.
Chamberlain	Johnson, S. Dak.	Myers	Stanley
Colt	Jones, N. Mex.	Nugent	Sterling
Dial	Kellogg	Overman	Swanson
Edge	Kendrick	Pittman	Thomas
Fletcher	Keyes	Pomerene	Trammell
Gay	Kling	Ransdell	Underwood
Hale	Kirby	Robinson	Walsh Mont.
Harris	Lenroot	Sheppard	Williams
Harrison	McCumber	Smith, Ariz.	
Henderson	McKellar	Smith, Md.	

#### NOT VOTING—17.

Ashurst	Fall	Page	Watson
Bankhead	Gerry	Polindexter	Wolcott
Calder	Harding	Simmons	
Culberson	Nelson	Townsend	
Cummins	Owen	Wadsworth	

So the reservation proposed by Mr. WALSH of Massachusetts was rejected.

Mr. WALSH of Massachusetts. I give notice that I shall move in the Senate the reservation just voted upon.

The VICE PRESIDENT. Are there any further reservations? There being no further reservations, the Senate has under consideration, as in Committee of the Whole, the treaty with Germany, and has made certain reservations thereto. The question is, Will the Senate concur in the reservations made as in the Committee of the Whole? The Senator from Massachusetts [Mr. LODGE] has reserved a vote on the amendment offered by the Senator from Maine [Mr. HALE]. Are there any further reservations? There being none, shall the vote on concurring in each reservation be put separately or shall it be put en bloc?

Mr. CURTIS. Mr. President, I understood the Senator from California [Mr. JOHNSON] reserved a vote upon one of the reservations.

The VICE PRESIDENT. On which reservation?

Mr. JOHNSON of California. On the reservation I offered which was voted on to-day. But I understood that that might be offered in the Senate.

Mr. TRAMMELL. I suggest that we vote upon the reservations separately.

Mr. LODGE. That requires reserving all of them.

The VICE PRESIDENT. That means, then, under the rule, that the Senate will vote on each one separately.

Mr. SMOOT. Mr. President, a parliamentary inquiry. There is no necessity of reserving a vote upon any reservation unless it was affirmatively carried?

The VICE PRESIDENT. Certainly not.

Mr. SMOOT. That is what I understand.

Mr. LODGE. My attention was diverted for the moment. I understood the request was that there should be a separate vote, not a block vote. That involves reserving each reservation, does it not?

The VICE PRESIDENT. The Chair is not permitted to say what he thinks about these rules; but the rule is that the vote on amendments or reservations may be taken separately or in gross, if no Senator shall object.

Mr. LODGE. If objection is made, the vote must be taken separately.

The VICE PRESIDENT. Will the Senate concur in the first reservation?

Mr. HITCHCOCK. Mr. President, I understand that the decision is that they are to be voted on separately?

The VICE PRESIDENT. There having been an objection to their consideration en bloc, there must be a separate vote on each reservation.

Mr. BRANDEGEE. Mr. President, a parliamentary inquiry. I understood that the Senator from Florida [Mr. TRAMMELL] suggested that the reservations be voted on separately. I did not know whether he meant that by way of an objection or not.

Mr. HITCHCOCK. Yes; there was an objection; and I would make one if no one else did.

Mr. BRANDEGEE. Very well.

Mr. HITCHCOCK. When the first reservation proposed by the Senator from Massachusetts was adopted I reserved the right to move to strike out all after the word "ratification," on line 3, so that nothing would remain except these words:

The reservations and understandings adopted by the Senate are to be made a part and a condition of the resolution of ratification.

That part to be stricken out reads as follows:

Which ratification is not to take effect or bind the United States until the said reservations and understandings adopted by the Senate have been accepted by an exchange of notes as a part and a condition of said resolution of ratification by at least three of the four principal allied and associated powers, to wit, Great Britain, France, Italy, and Japan.

Now, Mr. President, I move that all after the word "ratification," on line 3, be stricken out.

Mr. LODGE. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CURTIS (when his name was called). I transfer my pair with the senior Senator from North Carolina [Mr. SIMMONS] to the senior Senator from Minnesota [Mr. NELSON] and vote "nay."

Mr. KENDRICK (when his name was called). I have a general pair with the senior Senator from New Mexico [Mr. FALL], which I transfer to the senior Senator from Texas [Mr. CURBERSON] and vote "yea."

Mr. WATSON (when his name was called). I am paired with the senior Senator from Delaware [Mr. WOLCOTT] and I withhold my vote. If permitted to vote, I would vote "nay."

The roll call was concluded.

Mr. EDGE (after having voted in the negative). Has the junior Senator from Oklahoma [Mr. OWEN] voted?

The VICE PRESIDENT. He has not.

Mr. EDGE. I have a general pair with that Senator and in his absence I withdraw my vote.

Mr. ROBINSON. Announcing my pair with the senior Senator from Iowa [Mr. CUMMINS], I withhold my vote.

Mr. CURTIS. I have been requested to announce that the Senator from New York [Mr. CALDER] is paired with the Senator from Arizona [Mr. ASHURST], and that the Senator from Vermont [Mr. PAGE] is paired with the Senator from Alabama [Mr. BANKHEAD].

Mr. GERRY. I wish to announce that the Senator from Arizona [Mr. ASHURST], the Senator from Alabama [Mr. BANKHEAD], the Senator from North Carolina [Mr. SIMMONS], and the Senator from Delaware [Mr. WOLCOTT] are necessarily absent from the Senate.

The result was announced—yeas 36, nays 45, as follows:

#### YEAS—36.

Beckham	Gay	Henderson	Kendrick
Chamberlain	Gerry	Hitchcock	King
Dial	Harris	Johnson, S. Dak.	Kirby
Fletcher	Harrison	Jones, N. Mex.	McCumber



McKellar	Pittman	Smith, Ga.	Thomas
Myers	Pomerene	Smith, Md.	Trammell
Nugent	Ransdell	Smith, S. C.	Underwood
Overman	Sheppard	Stanley	Walsh, Mont.
Phelan	Smith, Ariz.	Swanson	Williams

## NAYS—45.

Ball	Gronna	McCormick	Shields
Borah	Hale	McLean	Smoot
Brandeggee	Harding	McNary	Spencer
Capper	Johnson, Calif.	Moses	Sterling
Colt	Jones, Wash.	New	Sutherland
Curtis	Kellogg	Newberry	Townsend
Dillingham	Kenyon	Norris	Wadsworth
Elkins	Keyes	Penrose	Walsh, Mass.
Fernald	Knox	Phipps	Warren
France	La Follette	Poindexter	
Frelinghuysen	Lenroot	Reed	
Gore	Lodge	Sherman	

## NOT VOTING—14.

Ashurst	Cummins	Owen	Watson
Bankhead	Edge	Page	Wolcott
Calder	Fall	Robinson	
Culberson	Nelson	Simmons	

So Mr. HITCHCOCK's amendment to reservation No. 1, proposed by Mr. LODGE, was rejected.

Mr. HITCHCOCK. Mr. President, in order to save the time of the Senate, so far as I am concerned, I can see no objection to voting on the other reservations en bloc. I see objection to agreeing to them, but there is no objection to voting on them en bloc.

Mr. LODGE. There is one that has been reserved for a separate vote, but it will take only a few moments, I think, to dispose of it if the roll is not called.

The VICE PRESIDENT. With the exception of reservation numbered 5, the question is on concurring in the reservations made as in Committee of the Whole.

Mr. LODGE. No; I thought we were to vote on each one merely without calling the roll.

The VICE PRESIDENT. No; we were going to vote on all en bloc, except No. 5.

Mr. LODGE. If we are to take a vote en bloc, I desire to reserve, in addition to No. 5, reservation No. 4, and ask for a vote on it, because there is no record vote on it.

The VICE PRESIDENT. Reservations Nos. 4 and 5 are reserved for a separate vote.

Mr. WADSWORTH. May I follow the same procedure and ask that No. 12 be likewise reserved?

The VICE PRESIDENT. Nos. 4, 5, and 12 are reserved. The question is on concurring in the other reservations made as in Committee of the Whole, proposed by the Senator from Massachusetts [Mr. LODGE].

The reservations, with the exception of those numbered 4, 5, and 12, were concurred in.

The VICE PRESIDENT. The question now is on concurring in reservation No. 4.

Mr. PENROSE. Let the reservation be read.

The VICE PRESIDENT. The Secretary will read.

The Secretary read as follows:

4. No mandate shall be accepted by the United States under article 22, part 1, or any other provision of the treaty of peace with Germany, except by action of the Congress of the United States.

Mr. LODGE. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CURTIS (when his name was called). Making the same announcement as on the previous vote with reference to my pair and its transfer, I vote "yea."

Mr. KENDRICK (when his name was called). Making the same announcement as previously made with reference to my pair and its transfer, and asking that the announcement may stand for the day, I vote "nay."

Mr. WATSON (when his name was called). I again announce my pair with the senior Senator from Delaware [Mr. WOLCOTT] and withhold my vote. If at liberty to vote, I would vote "yea."

The roll call was concluded.

Mr. ROBINSON. Again announcing my pair with the senior Senator from Iowa [Mr. CUMMINS], I withhold my vote.

Mr. CURTIS. I have been requested to announce that the Senator from New York [Mr. CALDER] is paired with the Senator from Arizona [Mr. ASHURST] and that the Senator from Vermont [Mr. PAGE] is paired with the Senator from Alabama [Mr. BANKHEAD].

The result was announced—yeas 52, nays 31, as follows:

## YEAS—52.

Ball	Curtis	France	Harding
Borah	Dillingham	Frelinghuysen	Hitchcock
Brandeggee	Edge	Gore	Johnson, Calif.
Capper	Elkins	Gronna	Jones, Wash.
Colt	Fernald	Hale	Kellogg

Kenyon	McCumber	Penrose	Spencer
Keyes	McLean	Phipps	Sterling
King	McNary	Poindexter	Sutherland
Knox	Moses	Reed	Thomas
La Follette	New	Sherman	Townsend
Lenroot	Newberry	Shields	Wadsworth
Lodge	Norris	Smith, Ga.	Walsh, Mass.
McCormick	Owen	Smoot	Warren

## NAYS—31.

Beckham	Henderson	Overman	Smith, S. C.
Chamberlain	Johnson, S. Dak.	Phelan	Stanley
Dial	Jones, N. Mex.	Pittman	Swanson
Fletcher	Kendrick	Pomerene	Trammell
Gay	Kirby	Ransdell	Underwood
Gerry	McKellar	Sheppard	Walsh, Mont.
Harris	Myers	Smith, Ariz.	Williams
Harrison	Nugent	Smith, Md.	

## NOT VOTING—12.

Ashurst	Culberson	Nelson	Simmons
Bankhead	Cummins	Page	Watson
Calder	Fall	Robinson	Wolcott

So reservation No. 4, made as in Committee of the Whole, was concurred in.

The VICE PRESIDENT. The question is on concurring in reservation No. 5.

Mr. LODGE. Mr. President, in reservation No. 5 an amendment was made which is not in the print which I have. Will the Secretary kindly read it?

The VICE PRESIDENT. The Secretary will read as requested.

The SECRETARY. Amendment offered by the Senator from Maine [Mr. HALE]: In the reservation print in bill form on line 25, after the word "question," the following words were inserted in Committee of the Whole:

And all questions affecting the present boundaries of the United States and its insular or other possessions.

So that it now reads as follows:

5. The United States reserves to itself exclusively the right to decide what questions are within its domestic jurisdiction, and declares that all domestic and political questions relating wholly or in part to its internal affairs, including immigration, labor, coastwise traffic, the tariff, commerce, the suppression of traffic in women and children and in opium and other dangerous drugs, and all other domestic questions, and all questions affecting the present boundaries of the United States and its insular or other possessions, are solely within the jurisdiction of the United States—

And so forth.

Mr. LODGE. That amendment was of necessity hastily prepared, as it was only prepared in the morning of the day when the cloture rule was adopted. I approved it and voted for it myself. On further consideration I came to the conclusion that it went too far and interfered with questions which are in their very nature international, and that it was, I thought, sufficiently provided for in other parts of the reservation. I reserved it for this purpose, and I shall be very glad if the Senator from Maine [Mr. HALE] would be willing to withdraw it.

Mr. HALE. I think there is a good deal of force in what the Senator from Massachusetts says. However, if I were permitted to offer an amendment at the present time, which I understand I am not, I think that by transposing two or three words I could obviate the objection of the Senator from Massachusetts. I shall, therefore, ask unanimous consent to make such an amendment at the present time. I will ask the Secretary to read my proposed amendment.

Mr. KNOX. I object. I wish further to congratulate the Senator from Maine [Mr. HALE], who offered the amendment, and the Senator from Massachusetts [Mr. LODGE], who voted for the amendment, in having at last realized what I called to the attention of the Senate at the time, the manifest absurdity of the amendment. The idea of trying to place all questions affecting boundaries within the exclusive jurisdiction of the United States struck me instantly as being preposterous.

Not only that, but the immediate effect of the ratification of the treaty with such a provision in it would have been to have abrogated the existing treaty between the United States and Canada under which all boundary questions are referred to a joint commission of representatives of the two countries. The amendment seems to have been prepared upon the theory that a boundary question only meant a boundary line. The great and grave and important boundary questions arising between this country and Canada are those affecting our boundary waters, and the disposition and use of diversion of those waters, as well as other questions that relate to the boundaries.

I conclude as I began by congratulating both the Senator from Maine [Mr. HALE] and the Senator from Massachusetts [Mr. LODGE].

Mr. HALE. Mr. President, in view of the statement of the Senator from Massachusetts and of the request of the Senator from Massachusetts, I can do nothing but withdraw my amendment.

The VICE PRESIDENT. That is "going some." [Laughter.] Oh, no; the Chair can not permit that. The Senate has voted upon the amendment, and nothing can be done except to move to reconsider the vote by which the amendment was agreed to.

Mr. LODGE. To reconsider in the Senate a vote taken as in Committee of the Whole?

The VICE PRESIDENT. Certainly. The Senator has reserved a vote on this amendment.

Mr. LODGE. I have reserved a vote; but I do not think it is necessary to reconsider, is it?

The VICE PRESIDENT. It has been made a part of the reservation by amendment.

Mr. LODGE. But, surely, when we go into the Senate we do not reconsider a vote taken in Committee of the Whole?

The VICE PRESIDENT. The Chair so rules; and under the agreement it is not discussable. If the Senator desires to appeal, he can do so.

Mr. LODGE. Oh, no; I have no desire to appeal. I move to reconsider the vote whereby the amendment was agreed to.

The motion to reconsider was agreed to.

The VICE PRESIDENT. The question now is, Shall the amendment be agreed to?

Mr. LODGE. Mr. President, what has become of the amendment?

The VICE PRESIDENT. The amendment is now pending.

Mr. LODGE. Then, the vote will be to agree or to disagree to it?

The VICE PRESIDENT. The question is on agreeing or disagreeing to the Hale amendment.

Mr. WALSH of Montana. Mr. President, I do not desire to be heard upon the pending matter, but I rise simply to remark that I voted "nay" upon the reservation immediately preceding reservation No. 4, in the entire conviction that it is utterly unnecessary; that no mandate can be accepted by the United States except by act of Congress, and I am sure I speak the conviction of every Senator on this side of the Chamber who voted with me.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Maine [Mr. HALE]. [Putting the question.] The amendment is not concurred in. The question is on concurring in the reservation.

The reservation was concurred in.

The VICE PRESIDENT. The question now is on concurring in reservation No. 12.

Mr. WADSWORTH. Mr. President, I ask unanimous consent that an amendment be considered to reservation No. 12 in order that an obvious error in phraseology may be corrected. On page 5 of the leaflet containing the reservation, line 15, I move to strike out the words "said article 16" and in their place to substitute the words "its covenants," so that that portion of the sentence will read:

Or in countries other than that violating its covenants.

The VICE PRESIDENT. Is there objection?

Mr. HITCHCOCK. I think I shall have to continue by objection to that, following the illustrious example of the Senator from Pennsylvania.

Mr. WADSWORTH. In doing so the Senator from Nebraska contributes to good legislation.

The VICE PRESIDENT. The question is on concurring in reservation No. 12.

The reservation was concurred in.

Mr. REED. Mr. President, does that dispose of the reservations that have been adopted?

The VICE PRESIDENT. It disposes of all reservations made in Committee of the Whole and of all amendments offered to such reservations in Committee of the Whole.

Mr. REED. The question is still open to reservation?

The VICE PRESIDENT. To reservations and other amendments.

Mr. REED. Mr. President, it was not necessary to reserve the privilege, I take it, but I did, as a matter of notice to the Senate, say that I would reserve for separate vote in the Senate reservation 15 as reported by the Committee on Foreign Relations and defeated in Committee of the Whole. It is the reservation that provides that the United States shall retain in itself the right to decide what questions affect its vital interests and national honor.

I call attention to the fact, as stated by the Senator from Pennsylvania [Mr. KNOX], that it is by such a reservation that questions like the one sought to be covered by the reservation offered by the Senator from Maine [Mr. HALE] may be taken care of. There has been a misapprehension about this reservation. It never was reported by the committee or suggested to the committee for the purpose of destroying or weakening the treaty.

It was intended that, if adopted, it would be acted upon and construed in good faith; that the United States could be trusted never to claim that a question was vital to it and affected its very life unless, in the opinion of the Government of the United States, that should be the fact, for it was intended and believed that the United States would never assert that its honor was at stake and that it could not afford to submit the question because its honor was at stake unless it could say that was the opinion of the Government of the United States. It was offered by the committee, I am sure—and I suggested it to the committee—in the best of faith, in the hope of improving the treaty, believing, as I did at that time, that the treaty would probably be adopted and, perhaps, even yet may ultimately be adopted, and if adopted that the vital interests of the United States and the honor of the United States ought to be within the custody and control of this Government alone. Therefore, I am going to ask if we can not have another roll call upon the reservation.

The VICE PRESIDENT. The Chair understands the Senator from Missouri offers a reservation, which will be stated.

The SECRETARY. It is proposed to add as a new reservation the following:

15. The United States reserves to itself exclusively the right to decide what questions affect its honor or its vital interests and declares that such questions are not under this treaty to be submitted in any way either to arbitration or to the consideration of the council or of the assembly of the league of nations or any agency thereof or to the decision or recommendation of any other power.

The VICE PRESIDENT. The question is on the reservation offered by the Senator from Missouri.

Mr. REED. I call for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CURTIS (when his name was called). I have a pair with the Senator from North Carolina [Mr. SIMMONS] and therefore withhold my vote. If at liberty to vote, I should vote "yea."

The roll call was concluded.

Mr. ROBINSON. Again announcing my pair with the Senator from Iowa [Mr. CUMMINS], I withhold my vote.

Mr. ASHURST. I inquire if the junior Senator from New York [Mr. CALDER] has voted?

The VICE PRESIDENT. He has not.

Mr. ASHURST. I am paired with that Senator until 10 o'clock, and therefore withhold my vote.

Mr. CURTIS. I have been requested to announce that the Senator from Vermont [Mr. PAGE] is paired with the Senator from Alabama [Mr. BANKHEAD].

The result was announced—yeas 33, nays 50, as follows:

## YEAS—33.

Ball	Gore	McLean	Sherman
Borah	Gronna	Moses	Shields
Brandeggee	Harding	New	Spencer
Capper	Johnson, Calif.	Newberry	Sutherland
Dillingham	Jones, Wash.	Norris	Wadsworth
Elkins	Knox	Penrose	Watson
Fernald	La Follette	Phipps	
France	Lodge	Poinexter	
Frelinghuysen	McCormick	Reed	

## NAYS—50.

Beckham	Johnson, S. Dak.	Overman	Sterling
Chamberlain	Jones, N. Mex.	Owen	Swanson
Colt	Kellogg	Phelan	Thomas
Dial	Kendrick	Pittman	Townsend
Edge	Keyes	Pomerene	Trammell
Fletcher	King	Ransdell	Underwood
Gay	Kirby	Sheppard	Walsh, Mass.
Gerry	Lenroot	Smith, Ariz.	Walsh, Mont.
Hale	McCumber	Smith, Ga.	Warren
Harris	McKellar	Smith, Md.	Williams
Harrison	McNary	Smith, S. C.	Wolcott
Henderson	Myers	Smoot	
Hitchcock	Nugent	Stanley	

## NOT VOTING—12.

Ashurst	Culberson	Fall	Page
Bankhead	Cummins	Kenyon	Robinson
Calder	Curtis	Nelson	Simmons

So Mr. REED's reservation was rejected.

Mr. OWEN. Mr. President, I offer the reservation which I send to the desk and ask to have read.

The VICE PRESIDENT. The reservation will be stated.

The SECRETARY. It is proposed to add, as a new reservation, the following:

The protectorate in Great Britain over Egypt is understood to be merely a means through which the nominal suzerainty of Turkey over Egypt shall be transferred to the Egyptian people, and shall not be construed as a recognition by the United States of any sovereign rights over the Egyptian people in Great Britain or as depriving the people of Egypt of any of their rights of self-government and independence.

Mr. OWEN. Mr. President, I want to say to my colleagues that I would not offer this reservation if it had not become entirely obvious that the final ratification of the treaty can only



be accomplished with reservations, and I think this reservation is entirely interpretative and is not in any way a change of the existing treaty.

I want to call attention particularly to article 147, to wit:

Germany declares that she recognizes the protectorate proclaimed over Egypt by Great Britain on December 18, 1914, and that she renounces the régime of the capitulations in Egypt.

This renunciation shall take effect as from August 4, 1914.

Article 148—

Mr. FLETCHER. Mr. President, let us have order.

Mr. OWEN. I ask for order. I have taken only 12 minutes of the time of the Senate, so I am entitled to present this matter.

Article 148. All treaties—

I ask Senators to desist from conversation on the floor—

All treaties, agreements, arrangements, and contracts concluded by Germany with Egypt are regarded as abrogated as from August 4, 1914.

In no case can Germany avail herself of these instruments and she undertakes not to intervene in any way in negotiations relating to Egypt which may take place between Great Britain and the other powers.

Showing that this treaty contemplates negotiations with other powers regarding the government of Egypt.

Now, I call attention to the fact that Egypt gained her independence by the sword in 1840. She took the war to Constantinople, and would have controlled Constantinople and overthrown the Turkish Government except for the powers of Europe. She managed her own affairs under a merely nominal suzerainty, in which Turkey interfered in no respect whatever with her internal management; but under Ishmael Pasha she incurred a great debt in building the Suez Canal and in putting irrigation plants and dams in the valley of the Nile for the purpose of making that country capable of producing food for the Egyptian people. Ishmael Pasha placed those bonds in Paris and in London, and in order to safeguard those bonds Great Britain undertook to open negotiations with the Khedive, who was in great distress over his debts, for the management of Egyptian finances.

The Egyptian people protested against it. It resulted in riots, because of European domination of the finances of Egypt. Great Britain thereupon, with the consent of the powers, in order to protect the bondholders who held the bonds of Egypt, bombarded Alexandria and put in a military force and sustained the Khedive by military power, and thereafter, in a greater or less degree, exercised the powers of government indirectly over the Egyptian people; but, when that was done, assurances were given to the Egyptian people that it was not intended to interfere with their independence. The admiral who bombarded Alexandria, and who took charge at that time, made the statement to them that—

The sole object is to protect Your Highness—

That is, the Khedive, who, by the way, was governing by divine right, a thing against which we fought in this war, sustained by Great Britain in this instance—

The sole object is to protect Your Highness and the Egyptian people against the rebels.

The rebels were those who were protesting against European domination of their Government.

When in 1914 the protectorate was declared over Egypt, because the then existing Khedive was making overtures to Germany and was practically conspiring against Great Britain in the war, Great Britain deposed the Khedive by military force and put another Khedive, his nephew, in his place, but the King of Great Britain, or his minister in his name, addressed this communication to the Egyptians, to wit:

I feel convinced that you—

The new sovereign—

will be able, with the cooperation of your ministers and the protectorate of Great Britain, to overcome all influences which are seeking to destroy the independence of Egypt.

Those people were given to understand that their independence was being fought for in this war, and they contributed 1,200,000 soldiers; they carried on the campaign protecting the Suez Canal and in Palestine and Arabia. Now the question comes before the Senate as to whether we will leave without any interpretation this item recognizing a protectorate, which Gladstone said in 1882, and the ministers from that time down to 1914 declared, would not be established.

I think it is only fair that the Egyptians, it is only fair to the principles for which we fought this war, that there should be an interpretation of this item of the treaty consistently with the declarations made by the United States, by Great Britain, by France, by Italy, and finally by the President of the United States at the peace conference when this peace treaty was drawn up.

I want you to listen to the President's words.

At the plenary council of the peace conference on January 25, 1919, at which it was decided to include a league of nations in the treaty of peace, President Wilson delivered the principal address, and in it he said—

Mr. LA FOLLETTE. Mr. President—

Mr. OWEN. I yield.

Mr. LA FOLLETTE. There is very good attention upon the Democratic side of the Senate, but there is considerable conversation upon the Republican side. I want to state to the Republican Members of the Senate that the Senator from Oklahoma is reading something that President Woodrow Wilson said, and I am sure they would like to hear it. It bears upon the question that they are going to vote upon in a few minutes, and I ask for better order on this side.

Mr. OWEN. It was said at a very important time. It was said when the treaty was submitted to the plenary council in Paris. He said this, and I beg Senators to listen to this:

We are here to see that every people of the world shall choose its own masters and govern its own destinies, not as we wish, but as they wish. We are here to see, in short, that the very foundations of this war are swept away. Those foundations were the private choice of a small coterie of civil rulers and military staffs. Those foundations were the aggressions of great powers upon small. Those foundations were the holding together of empires of unwilling subjects by the duress of arms.

That was accepted by the plenary council. They understood that this was the meaning of this treaty and of section 147; and I appeal to Senators not to ignore the rights of 13,000,000 people who have come up appealing to you through their representatives—representatives chosen by the legislative authority of Egypt, representatives whose credentials were signed by 100,000 citizens.

Mr. PENROSE. Mr. President—

Mr. OWEN. I yield to the Senator from Pennsylvania.

Mr. PENROSE. How does the Senator explain that the President did not stand up for those noble principles?

Mr. OWEN. I think the President did stand up for these noble principles as far as he could. He was not omniscient and he was not omnipotent, but he did the best he could; and I am in favor of supporting him in what he has brought here, with these modifications and explanations.

Some gentlemen say that the Egyptians are incapable of self-government, and that those who advocate it are only agitators. That is what the Tories in the House of Lords said in 1775 when our forefathers demanded the right of self-government.

A review of the debates in the House of Lords, taken from the Parliamentary Register, volume 2, of the year 1775, reveals a striking analogy between the utterances of British Tories of that period, opposed to American independence, and those of British opponents to-day to Egyptian independence. In many respects the same argument is followed.

The Earl of Suffolk heatedly declared, on January 20, 1775, Parliamentary Register, 1775, volume 2, page 11, that he—

thought it a duty incumbent on the administration to pursue the object of subduing the refractory, rebellious Americans; and avowed a ministerial resolution of enforcing obedience by arms.

And the same day (*ibid.*, p. 15) Lord Viscount Townsend asked if—

the mutual interests of both countries should be destroyed in order to gratify the foolishly ambitious temper of a turbulent, ungrateful people.

Earl Gover asserted on January 20 (*ibid.*, pp. 15, 16) that he— was well informed that the language now held by Americans was the language of the rabble and a few factious leaders; that the Delegates at the Continental Congress were far from expressing the true sense of the respectable part of their constituents.

While the Earl of Chatham—Pitt—spoke for America (*ibid.*, p. 7), as liberal Englishmen of to-day might well speak for Egypt:

The idea of coercion by troops was wanton and idle. Anger was your motive in all you did. "What! Shall America presume to be free? Don't hear them; chastise them!" That was your language. The severest judge, though it chastises, also hears the party. All the mischief has arisen from your anger. Troops and violence were ill means to answer the ends of peace. (Page 9.) Maladministration has run its line; it has not a move left; it is a checkmate.

Lord Camden said on March 16 (*ibid.*, p. 82):

You arbitrarily introduce a total change into their constitution. You violate their charter rights of choosing their own council, their own assembly, their own magistrates, and invest the governor with these privileges. You rivet the dependence of their judges by making them removable at pleasure. \* \* \* And thus, my lords, are annihilated all the securities of their freedom and happiness. \* \* \* (Pp. 83, 84.) When such is the conduct held against America, when the severest and most comprehensive punishments are inflicted without examining the offense, when their constitutional liberties are destroyed, when their charters and their rights are sacrificed to the vindictive spirit of the moment, when you thus tear up all their privileges by the roots, is there a country under heaven, breathing the last gasp of freedom, that will not resist such oppressions and vindicate \* \* \* such violations of justice.

Americans can not fail to lend ready sympathy to Egypt in her present plight, when they realize the same arguments and means are being used to suppress the aspirations and hopes of the Egyptians as were used to suppress the aspirations and hopes of the American colonists.

Mr. President, that is all I have to say. We fought this war for liberty. I believe in the right of men to govern themselves; and I propose to register my voice, if it be alone, for that principle.

Mr. McCORMICK. Mr. President, I assume that the Senator from Oklahoma has some recent information as to the attitude of the Executive, for when he was in Paris he dispatched the Secretary of State to the British delegation there to recognize the protectorate over Egypt.

Mr. OWEN. I have just read his words at the peace conference, which are not disputed by anybody.

Mr. McCORMICK. Sometimes in the case of this administration the fact disputes with the word.

Mr. OWEN. Then let us give our own interpretation to this language.

Mr. PENROSE. It seems to be a clear case of duplicity on the part of the President, as far as I can gather from the statement of the Senator from Illinois.

Mr. OWEN. Mr. President, I deeply regret that the President of the United States should be made mock of in this Chamber.

Mr. PENROSE. Well, this is a serious discussion.

Mr. OWEN. It is a serious discussion.

Mr. PENROSE. And the performance is very serious in its results.

Mr. NORRIS. Mr. President, I believe this is as serious a proposition as any that has been connected with this treaty. I believe that the President at the peace conference could have avoided the difficulty entirely. But I am not going to discuss that. Whether he could or not, the provision that is in the treaty was put in it. The representatives of Egypt wanted to be heard. After they had come to Paris they were denied admission to the conference, which was held behind closed doors. They were denied a hearing by Lloyd-George, they were denied a hearing by Clemenceau, and they were denied a hearing by Woodrow Wilson. We are up to the proposition as to whether we shall put into the reservations the simple reservation that has been tendered by the Senator from Oklahoma [Mr. OWEN]. The interests of the people of Egypt are directly involved. It seems to me that the honor of every other nation is likewise involved.

No one doubts the loyalty of Egypt during the war. No one has questioned, as I understand, the righteousness of this reservation. I have heard no voice on the floor of the Senate raised in opposition to it, and the only objection that I have heard in the cloakroom conversations has been that England will give Egypt a good government.

It is conceded, I think, by all those who study the proposition that Egypt by this treaty is turned over to Great Britain. I ask Senators who are going to vote against this reservation on the ground that England is going to give Egypt a good government to bring that home to themselves. If England will promise us a better government than we have, are we willing to surrender our national independence and become a British colony, as we were over 100 years ago? Are we willing to be governed by some other nation or by some king on the ground that they are going to give us as good a government as we have under our own independent control, or a better one?

When the Senator from Maine [Mr. HALE] read an editorial in a Canadian paper to the effect that the league of nations was going to give Canada an opportunity to cut four counties off the north end of Maine, he was immediately seized with an idea that he ought to preserve the territory of Maine by putting in a reservation, and the Senate put it in, inconsistently, in order to prevent that question from being opened up by the league of nations on the application of Canada.

We are jealous, rightly jealous, of our national integrity and existence. The Egyptian people are just as jealous of their independence, just as anxious to maintain it as we are, and if they are able to govern themselves—and I have heard no one question it—and have in substance been promised their independence by Great Britain, as has been shown here from the records read into the Record by the Senator from Oklahoma [Mr. OWEN], and by myself the other day when this question was up, then how can Senators, if they believe that it is right for the Egyptian people to govern themselves, vote against a reservation which says, in substance, that as we construe the treaty it will in effect be the duty of England to transfer the nationality of Egypt to the people of Egypt?

Mr. President, a million Egyptians went into this war. I have never yet heard of any dissent among the Egyptian people in their loyalty to our side of the war. They believed, as the record shows without dispute, that at the close of the war they were going to be an independent nation, and that Great Britain was going to make her word good. When they appointed representatives to go to Paris and meet with the representatives of other nations, those emissaries were arrested by the British Government and put in prison, without any charge of crime or anything, but simply to prevent them from going to Paris; and when, on account of the excitement in Egypt that it aroused, they were finally released and they did come to Paris, they never were able to obtain admission into the council where the treaty was made. Their petitions were ignored, their voices were unheeded, and we have a treaty before us which, in substance, turns over Egypt to Great Britain.

It seems to me that we ought to consider what has been shown among other things that have come out in this debate that after all this treaty is turning over a great portion of the world to Great Britain, giving her jurisdiction over a great portion of the civilized world, the greatest portion, as has been shown and is undisputed. When this treaty is ratified, if it is, with the exception of the Panama Canal there will be no great trade route in the world not covered by British guns. With that one exception we can not send our own commerce anywhere without going within the range of British cannon.

Thirteen million people have been promised their independence. They are able to govern themselves. They have a civilization older than ours, and it seems to me that we ought at least to agree to the reservation that the Senator from Oklahoma has offered, and make good to these people who were loyal to our cause through the struggle.

The VICE PRESIDENT. The question is on agreeing to the reservation offered by the Senator from Oklahoma [Mr. OWEN].

Mr. NORRIS. I ask for the yeas and nays, Mr. President.

Mr. LA FOLLETTE. Mr. President, I ask for the yeas and nays on this reservation, and just before they are taken I am going to put this statement into the Record.

In May, 1882, a British fleet appeared before Alexandria. In June, 1882, a disturbance took place in Alexandria in which a number of Europeans were killed. On June 11 and 12, 1882, the British warships bombarded Alexandria, an unfortified city, and hundreds of Egyptians were killed and wounded.

That staged the performance for the British entrance into Egypt. British troops then occupied Egypt, with the most explicit pledges from British officials that the occupation was for the sole purpose of restoring order, and was to be temporary.

Now, listen. Sir Charles Dilke said in the House of Commons on July 25, 1882:

It is the desire of His Majesty's Government, after relieving Egypt from military tyranny, to leave the people to manage their own affairs. \* \* \* We do not wish to impose on Egypt institutions of our own choice, but rather to leave the choice of Egypt free.

Gladstone, on August 10, 1882, when prime minister, declared in the House of Commons, in response to questions asked him as to the British intentions regarding Egypt:

I can go so far as to answer the honorable gentleman when he asks me whether we contemplate an indefinite occupation of Egypt. Undoubtedly of all things in the world, that is a thing which we are not going to do. It would be absolutely at variance with all the principles and views of His Majesty's Government, and the pledges they have given to Europe, and with the views, I may say, of Europe itself.

Lord Granville declared the government ready to begin withdrawal of the troops "at the beginning of the year 1888," a promise which was never fulfilled.

Lord Derby declared the occupation of Egypt was—and I quote his words—"temporary and provisional only." He said on February 26, 1885:

We do not propose to keep Egypt permanently. On that point we are pledged to this country and to Europe.

Lord Salisbury, a succeeding prime minister, repeated this promise on numerous occasions, denying the intention of Great Britain to establish a protectorate over Egypt.

Yet on December 18, 1914, England proclaimed her removal of the lawful Khedive of Egypt, appointed a successor, put him on the Egyptian throne, and announced that henceforth Egypt will constitute a British protectorate.

But listen to the words of King George. In order to allay the apprehensions of the Egyptian people, and in order to enlist the Egyptian people in support of the armies of the Allies, King George sent a letter, from which I quote the following:

I feel convinced that you will be able, with the cooperation of your ministers and the protectorate of Great Britain, to overcome all influences which are seeking to destroy the independence of Egypt.

That letter was widely circulated over Egypt. It was taken as an assurance that their independence was to be preserved,



and on the strength of it they enlisted more than a million Egyptians and put them into the armies in support of the Allies; and this is the answer as it is written in the treaty.

The VICE PRESIDENT. The Senator's hour has expired. The question is on agreeing to the reservation offered by the Senator from Oklahoma [Mr. OWEN], on which the yeas and nays are requested.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. ASHURST (when his name was called). On this question and until the hour of 10 o'clock I am paired with the junior Senator from New York [Mr. CALDER]. I therefore withhold my vote.

Mr. CURTIS (when his name was called). I again announce my pair with the senior Senator from North Carolina [Mr. SIMMONS] and withhold my vote. If permitted to vote, I should vote "yea."

I also wish to announce that the Senator from Vermont [Mr. PAGE] is paired with the Senator from Alabama [Mr. BANKHEAD].

The roll call was concluded.

Mr. WATSON. Announcing my pair as on previous votes, I withhold my vote.

The result was announced—yeas 31, nays 46, as follows:

#### YEAS—31.

Ball	France	Lenroot	Owen
Borah	Frellinghuysen	Lodge	Penrose
Brandegee	Gronna	McCormick	Phelan
Capper	Johnson, Calif.	McLean	Phipps
Chamberlain	Jones, Wash.	Moses	Smoot
Dillingham	Kenyon	New	Sutherland
Elkins	Knox	Newberry	Walsh, Mass.
Fernald	La Follette	Norris	

#### NAYS—46.

Beckham	Hitchcock	Overman	Swanson
Cott	Johnson, S. Dak.	Pittman	Thomas
Dial	Jones, N. Mex.	Pointexter	Townsend
Edge	Kellogg	Pomeroy	Trammell
Fletcher	Kendrick	Ransdell	Underwood
Gay	Keyes	Sheppard	Wadsworth
Gerry	King	Smith, Ariz.	Walsh, Mont.
Hale	Kirby	Smith, Md.	Warren
Harding	McCumber	Smith, S. C.	Williams
Harris	McKellar	Spencer	Wolcott
Harrison	McNary	Stanley	
Henderson	Nugent	Sterling	

#### NOT VOTING—18.

Ashurst	Curtis	Page	Simmons
Bankhead	Fall	Reed	Smith, Ga.
Calder	Gore	Robinson	Watson
Culberson	Myers	Sherman	
Cummins	Nelson	Shields	

So Mr. OWEN's reservation was rejected.

Mr. JOHNSON of California. Mr. President, it was my intention to offer the reservation which was offered this afternoon and defeated by a vote of 46 to 31, but I shall content myself without offering it again, because of the lateness of the hour and because possibly it makes an inconsistency with the reservations which have been adopted, by explaining in just a brief moment to the Senate that the reservation adopted does nothing of the sort which was endeavored to be done by the reservation offered this evening. The reservation adopted assumes no obligation to be bound by any election, decision, report, or finding of the council or assembly in which any member of the league and its self-governing dominions, colonies, or parts of empire in the aggregate have cast more than one vote, and assumes no obligation to be bound by any decision, report, or finding of the council or assembly arising out of any dispute between the United States and any member of the league if such member, or any self-governing dominion, colony, empire, or part of empire united with it politically has voted.

Thus the United States Senate has spoken. It goes into the league of nations and takes the country into the league of nations where we sit with but one vote and Great Britain with six votes, and wherein, under this reservation, we lie in wait and determine, after a decision has been rendered by the six votes as against our one vote, whether or not we will be bound and whether or not we will accept the decision.

It affords some protection to the United States, and for that reason I voted for it. It does not afford the protection which ought to be afforded, and no man can save his conscience in voting for that reservation with the soothing thought that he has endeavored to protect or has at all protected his country. No man can insist that by reason of that reservation he has given either equal voting power or equal representation to his country in the league of nations with Great Britain.

Of course, there is just one way in which this could be done. That way has been denied by the United States Senate. By a vote of 46 to 31 we acknowledged the superiority of Great

Britain in this league, and we stand under our inferiority. But because there will be an inconsistency in the adoption of the particular reservation that was mine with what we have already done which might render the matter of considerable consequence and unable to be wholly corrected under the parliamentary situation, I do not carry out my original intention to offer the reservation in the Senate.

Mr. TRAMMELL. Mr. President, as one of those who supported the reservation which was adopted, I wish most emphatically to refute the statement of the Senator from California that, by a vote of 46 to 31, we acknowledged the superiority of Great Britain and the inferiority of the United States when the Senate adopted the reservation proposed by the Senator from Wisconsin [Mr. LENROOT] and rejected the one offered by the Senator from California [Mr. JOHNSON].

I admire the Senator very much, I esteem his Americanism, but he has been handing out this line of talk in the Senate for to these many months in regard to this reservation. He would have it appear that every man who does not agree with him on the question of voting, not in the council that determines the important questions, but in the assembly, is imputing to America inferiority to Great Britain.

Mr. President, I resent most emphatically any assertion that because we supported the reservation offered by the Senator from Wisconsin [Mr. LENROOT] which protects the American interests, that we consider America inferior. With me it is my own country, first, last, and always.

There is, of course, considerable sentiment in the idea that no nation should have more votes than another nation, and if we were dealing with this matter in the initiative I would very much favor trying to prevent any such condition; but we now have confronting us this condition. We are dealing with the league as it came to us from the peace conference. The conference having provided that Canada, Australia, and other dependencies and colonies of Great Britain have a voice in the assembly, it is for us now either to protect the United States by the provision contained in the reservation of the Senator from Wisconsin in the way of stating that we shall not be bound if Great Britain and her colonies have more than one vote, or else we are to say that the United States shall inflict another injury and another wrong upon the other members of the league of nations by taking unto ourselves six votes and leaving France, Italy, and the other member nations with only their one vote.

I have never known yet of two wrongs making a right, and if it is wrong for Great Britain to have her one vote and each of her colonies one vote, making a total of six votes, because such voting strength may conflict with the United States, then it is wrong for our Republic to have six votes and leave France and Italy and others that may become members of the league with only one vote each. What becomes of the axiom, "Those who seek equity must do equity"?

If the Senator believes so much in justice and is such a champion of fairness for his own country, why has he not claimed some justice and equity in the interests of France, Italy, and other member nations?

Mr. SMOOT. They will take care of themselves.

Mr. TRAMMELL. Yes; they will take care of themselves, and that is what we who have supported the reservation offered by the Senator from Wisconsin have done on the part of the United States, without heaping injury upon injury on the other nations with only one vote each. We want to leave France and Italy to take care of themselves. The reservation offered by the Senator from Wisconsin specifically provides that the United States shall not be bound upon any election, decision, or determination reached by the assembly wherein Great Britain and her colonies cast more than one vote. America's interest is made secure and protected just as much as if the reservation of the gentleman from California [Mr. JOHNSON] had been adopted.

Our Americanism and our rights are safeguarded, and I believe the American people will accord to the Senators supporting the Lenroot reservation just as much zealotism for sustaining the Republic's rights and an equal loyalty and love of country as that which throbs within the breast of the distinguished and able Senator from California.

The VICE PRESIDENT. Are there any further amendments or reservations to be offered?

Mr. LODGE. If there are no further amendments or reservations to be offered in the Senate, and I understand the Chair so declares, it now becomes necessary as the next step to reduce the reservations, and amendments if there are any—there are no amendments in this case—to a resolution of ratification. The rule provides that that resolution of ratification thus prepared must be proposed upon the subsequent day. It is therefore necessary that there should be an adjournment. I ask if the

Chair has formally declared that there are no more reservations or amendments to be offered?

The VICE PRESIDENT. The Chair inquires now, Are there any further amendments, reservations, interpretations, or suggestions to be made? The Chair hears none, and so declares that there are none.

Mr. CURTIS. Mr. President—

Mr. LODGE. I yield to the Senator from Kansas.

#### PROPOSED FINAL ADJOURNMENT OF THE HOUSE.

Mr. CURTIS. I ask unanimous consent for the consideration of the following resolution as in legislative session. I would like to state that the objection which was made to the resolution the other night has been withdrawn by the Senator from Arizona [Mr. ASHBURST] and I think there will be no objection.

Mr. LODGE. It concerns the House entirely?

Mr. CURTIS. Yes.

The VICE PRESIDENT. The Secretary will report the resolution.

The Secretary read the resolution (S. Res. 231), as follows:

*Resolved*, That the consent of the Senate is hereby given to an adjournment sine die of the House of Representatives at any time prior to December 1 when the House shall so determine.

Mr. KIRBY. I do not wish to object to the resolution, but suppose the Senate agrees to the resolution and the House adjourns to-morrow, then the Senate can not adjourn at all?

Mr. CURTIS. The House to-morrow morning, when it convenes, will agree to a resolution of the House consenting to an adjournment of the Senate.

The resolution was considered by unanimous consent and agreed to.

#### EMPLOYEES OF RAILROAD ADMINISTRATION.

The VICE PRESIDENT. As in legislative session, the Chair asks unanimous consent to lay before the Senate the response of the Railroad Administration to the resolution submitted by the Senator from Iowa [Mr. CUMMINS] on August 20, 1919. The response will be referred to the Committee on Interstate Commerce, and the Chair understands the Senator from Iowa desires to have it printed as a public document.

Mr. CUMMINS. I ask that it be printed as a public document.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and it is so ordered.

Mr. POMERENE. May I ask the Senator from Iowa, Does the response of the Interstate Commerce Commission relate to a resolution which was passed calling for certain information with regard to wages?

Mr. CUMMINS. It is in response to a resolution I submitted last August, I think.

Mr. POMERENE. In July, I think.

The VICE PRESIDENT. The resolution was agreed to August 20, 1919.

Mr. CUMMINS. The resolution called for information in regard to wages.

Mr. POMERENE. I am glad it has come in at last.

#### PETITIONS AND MEMORIALS.

Mr. LODGE. Mr. President, I am going to ask unanimous consent that I may be allowed to present some petitions which I have here.

The VICE PRESIDENT. Is there objection?

Mr. LODGE. They are petitions in favor of the league of nations, signed by some thousands of women in Massachusetts.

The VICE PRESIDENT. Without objection, the petitions will be received.

The petitions are as follows:

Petitions signed by the Massachusetts committee of one hundred of the Women's Nonpartisan Committee for the league of nations and by approximately 15,000 other women of Massachusetts, residents of the following cities and towns, praying for the immediate ratification of the treaty of peace and the covenant of the league of nations:

Boston, 3,234 signatures; Beverly, Essex, Ipswich, Lynn, Manchester, Newburyport, Salem, and South Hamilton, 578; Athol, Brookfield, Harvard, Harwich, Holden, Framingham, Fitchburg, Gardner, Groton, Leicester, Littleton, Marlboro, Millville, Monson, Northboro, North Grafton, Orange, Southbridge, Sudbury, Templeton, Webster, West Brookfield, West Upton, Winchendon, and Worcester, 737; Newton, 408; Blackstone, Brockton, Fairhaven, Franklin, Freetown, New Bedford, and North Easton, 418; Ellerton, Barnstable, Bridgewater, Cotuit, Duxbury, Hanover, Hyannis, Hingham, Kingston, Nantucket, Vineyard Haven, Bourne, Norwell, Osterville, Provincetown, Sandwich, Scituate, South Yarmouth, Wareham, West Barnstable, Whitman, Woods Hole, and Plymouth, 486; Arlington, Auburndale, Bedford, Chelsea, Concord, Dedham, Dover, Everett,

Lexington, Lincoln, Malden, Medford, Melrose, Natick, Needham, Norfolk Downs, Randolph, Revere, Sharon, Somerville, South Braintree, Stoneham, Waltham, Whalen, Wellesley, Weston, Winchester, Wollaston, and Quincy, 1,435; Andover, Chelmsford, Haverhill, Lowell, Reading, Tynsboro, Wilmington, 356; Milton, 338; Sagamore, Winthrop, West Townsend, Prides Crossing, West Royalston, Hudson, Lancaster, Holliston, Norton, Whitinsville, Ayer, Holbrook, Marshfield, East Walpole, Millis, Becket, Chester, Roslindale, Dorchester, Roxbury, and Woburn, 1,801; Cambridge, 1,056; Brookline, 1,586.

Petitions signed by 451 students of Radcliffe, Wellesley, Smith, and Mount Holyoke colleges, favoring the immediate ratification of the treaty of peace and the covenant of the league of nations, were also presented by Mr. LODGE.

Mr. SMOOT and Mr. HITCHCOCK addressed the Chair.

The VICE PRESIDENT. The Chair does not want to stay here all night for morning business. The Chair will say that.

Mr. HITCHCOCK. It is getting pretty late, but I have here a petition of 3,000 women in Connecticut asking for the ratification of the treaty similar to the petitions which have been presented by the Senator from Massachusetts [Mr. LODGE], who, I understand, has petitions signed by 15,000 women from Massachusetts. Here are petitions signed by 3,000 women of Connecticut which have been gathered within 10 days.

Mr. LODGE. The petitions which I have presented are signed by over 15,000 women in Massachusetts. The Senator from Nebraska misstates the number.

Mr. HITCHCOCK. I have petitions signed by 3,000 women of Connecticut, all of which have been gathered within 10 days.

Mr. WADSWORTH. I could contribute petitions signed by 12,000 from New York, if such matters are going to be presented.

Mr. LA FOLLETTE. But they are not. I object to anything being received.

Mr. JONES of Washington presented a memorial of Montasano Post No. 37, American Legion, of Montasano, Wash., remonstrating against the granting of citizenship papers to aliens who were exempted from military service during the World War on account of being nonresident aliens, which was referred to the Committee on Immigration.

Mr. McLEAN presented memorials of Typewriter Lodge No. 1342, International Association of Machinists, of Hartford; of Local Union No. 215, Journeymen Barbers' International Union of America, of New Haven; and of Excelsior Lodge No. 259, International Association of Machinists, of Derby, all in the State of Connecticut, remonstrating against the adoption of the proposed antistrike clauses contained in the so-called Esch-Pomerene bill and the Cummins bill, which were ordered to lie on the table.

#### BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred, as follows:

By Mr. NELSON:

A bill (S. 3448) defining sedition, the promoting thereof, providing punishment therefor, and for other purposes; to the Committee on the Judiciary.

By Mr. JONES of Washington:

A bill (S. 3449) granting an increase of pension to Cornelia A. Forbes (with accompanying papers); to the Committee on Pensions.

#### HEARINGS BEFORE COMMITTEE ON THE LIBRARY.

Mr. BRANDEGEE submitted the following resolution (S. Res. 232), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved*, That the Committee on the Library, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-sixth Congress to send for persons, books, and papers; to administer oaths, and to employ a stenographer, at a cost not exceeding \$1 per printed page, to report such hearings as may be had in connection with any subject which may be before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

#### HOUSE BILL REFERRED.

H. R. 10453. An act to provide for the termination of Federal control of railroads and systems of transportation; to provide for the settlement of disputes between carriers and their employees; to further amend an act entitled "An act to regulate commerce," approved February 4, 1887, as amended, and for other purposes, was read twice by its title and referred to the Committee on Interstate Commerce.

#### ADJOURNMENT.

Mr. LODGE. I move that the Senate adjourn.

The motion was agreed to; and (at 10 o'clock and 15 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, November 19, 1919, at 12 o'clock meridian.



## HOUSE OF REPRESENTATIVES.

TUESDAY, November 18, 1919.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Almighty God, infinite and eternal source of all things, we realize our dependence upon Thee and lift up our hearts in gratitude for all the blessings of the past; and most fervently pray that Thou wilt continue to bless us as individuals and as a nation.

Open Thou our eyes day by day to truth, for there is nothing purer than truth, stronger than faith, brighter than hope, nor more enduring than love, that we may live our convictions now and always. In the spirit of the Lord Jesus Christ. Amen.

## THE JOURNAL.

The Journal of the proceedings of yesterday was read.

Mr. WELTY. Mr. Speaker, the Journal as read provides for five legislative days for Members to extend remarks on the railroad bill.

The SPEAKER. It should be five calendar days, and the correction will be made.

The Journal was approved.

Mr. LUCE. Mr. Speaker, last evening after voting on the motion to recommit I went to the House Office Building, intending to return and take part in the final vote. To the best of my knowledge and belief the second bell failed to ring, and I arrived too late. Inasmuch as it was not my fault I ask unanimous consent that I may be recorded in the affirmative.

The SPEAKER. The House has no jurisdiction to grant that request.

## BRIDGE ACROSS THE CONNECTICUT RIVER AT WINDSOR.

Mr. LONERGAN. Mr. Speaker, I call up the bill S. 3332, on the Speaker's table, a House bill identical with it being favorably reported and now on the House Calendar.

The Clerk read the bill, as follows:

A bill (S. 3332) granting the consent of Congress to the board of county commissioners of the county of Hartford, in the State of Connecticut, to construct a bridge across the Connecticut River, between Windsor Locks and East Windsor, at Warehouse Point, in said county and State.

Be it enacted, etc., That the consent of Congress is hereby granted to the board of county commissioners of the county of Hartford, in the State of Connecticut, to construct, maintain, and operate a bridge and approaches thereto across the Connecticut River, at a point suitable to the interests of navigation, one end of said bridge to be in the town of Windsor Locks and the other in the town of East Windsor, at the village of Warehouse Point, all in the county of Hartford, in the State of Connecticut, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was read the third time and passed.

On motion of Mr. LONERGAN, a motion to reconsider the vote whereby the bill was passed was laid on the table.

The bill H. R. 9850 was laid on the table.

## ENROLLED BILL SIGNED.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 425. An act to establish the Zion National Park in the State of Utah.

## REPORT OF THE SECRETARY OF WAR.

Mr. CRAGO. Mr. Speaker, I ask unanimous consent that the report of the Secretary of War, with accompanying documents, for the fiscal year of 1919 may be printed as a House document.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent that the report of the Secretary of War, with accompanying documents, may be printed as a House document. Is there objection?

Mr. WALSH. Reserving the right to object, what is the idea of having the annual reports of departments printed as House documents?

Mr. CRAGO. The law provides that reports accompanying the report of the Secretary of War shall be in the hands of the Public Printer not later than October 15. The Secretary's report is in the printer's hands as of October 15, but the reports of the Director of Chemical Warfare, the Construction Department, the report of the Chief of Artillery, the report of the Quartermaster General, the report of the Purchase, Storage and Supply, the Tank Corps, and the National Soldiers' Home were not in the hands of the Public Printer by October 15, as required by law. That was because in most cases the data necessary to make up the report was slow in coming in from the Hawaiian Islands and the Canal Zone and different fields of operation. The Public Printer takes the ground that the documents not

being in his hands by October 15 he is not justified in printing them. The officials of the House are very much interested in these different reports of officials of the department, especially the Director of the Construction Division. I am asking unanimous consent at this time that they may be printed for the use of the House as House documents.

Mr. WALSH. I do not think it is a wise practice to help delay in departments by printing documents supposed to be printed under the law and under the appropriations that may be made for printing House documents.

Mr. MANN of Illinois. Will the gentleman yield?

Mr. WALSH. Yes.

Mr. MANN of Illinois. My recollection is that all reports from the heads of departments are printed as House documents.

Mr. WALSH. They are not entitled "House documents." We get them at the office as "Report of the Secretary of War," "Report of the Attorney General," and so forth.

Mr. MANN of Illinois. The gentleman is mistaken, they are all printed as House documents. The heads of the departments, in addition, print the reports by the departments and send them out, but they are annually made to the House of Representatives and printed as House documents.

Mr. WALSH. If that is so, what is the necessity of this request?

Mr. MANN of Illinois. The only question here is on account of the delay. If it had not been for the delay, it would have been printed as a House document under the law by the Public Printer, but he says that under the new law he is not authorized to print any documents not submitted by October 15.

Mr. WALSH. I would like to ask, is it not a fact that the annual reports of department heads, members of the various Cabinet positions, have a fund for printing their annual reports which are not printed as House documents?

Mr. MANN of Illinois. Oh; they print their annual reports and distribute them, but under the law they are printed as House documents, and that is the way they go into the permanent record of the Government—all of these reports.

Mr. WALSH. Those are not the copies that the Members get.

Mr. MANN of Illinois. Members get that copy later in the bound volume. The bound volume is the House document.

Mr. WALSH. They get them if they ask for them, I suppose, the same as they get any other House document after it is printed. I have no objection.

The SPEAKER. Is there objection?

Mr. HUDDLESTON. Mr. Speaker, reserving the right to object, would it not meet the gentleman's purpose to ask that these documents be printed as if they had been regularly filed within the time? That covers the point made by the gentleman from Massachusetts [Mr. WALSH]. The request of the gentleman seems to imply a duplication in the printing of these documents.

Mr. CRAGO. No; there is no duplication.

Mr. HUDDLESTON. I would suggest an amendment to the gentleman's request that he ask that these documents be printed as if they had been filed in time.

The SPEAKER. That would require the consent of the Senate.

Mr. MANN of Illinois. Probably the gentleman from Alabama does not understand that the law provides that the documents shall be printed as House documents only if submitted by October 15. The House has the power, however, to order any of these documents printed as House documents by simple resolution of the House. The House has not the power to change the law by simple resolution of the House.

Mr. CRAGO. That is a very recent act.

Mr. HUDDLESTON. So that they will be printed as House documents under the gentleman's request and also under the law?

Mr. CRAGO. Oh, no.

Mr. HUDDLESTON. I do not know enough about this to make the objection. Has the gentleman submitted a request to the Joint Committee on Printing and had its approval of it?

Mr. CRAGO. I did not have time to do that. The matter was just called up this morning, and I ascertained that the cost would be very small.

Mr. HUDDLESTON. We have members of the Joint Committee on Printing in the room.

Mr. CRAGO. Would the gentleman from Pennsylvania [Mr. KIESS] have objection to this?

Mr. KIESS. No.

Mr. BLANTON. Mr. Speaker, reserving the right to object, according to the colloquy between the gentleman from Illinois [Mr. MANN] and the gentleman from Massachusetts [Mr. WALSH] this report and other reports from the departments are

not only printed as House documents but are also printed by each department under a special fund for their special distribution.

Mr. CRAGO. No.

Mr. BLANTON. I wanted to ask the gentleman from Illinois [Mr. MANN], because he knows more about it than anyone else, whether or not there are 100 men in this Nation who read these reports?

Mr. MANN of Illinois. I could not answer that, except to say that there is one who does. I always did, and I expect to start doing it again pretty soon.

Mr. BLANTON. Oh, the gentleman reads everything while he is on his farm and in his garden.

Mr. MANN of Illinois. Oh, no; I do not read anything there.

Mr. BLANTON. Are there any others in the Nation who read them.

Mr. MANN of Illinois. Oh, certainly; there are a great many people who read these annual reports.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania? [After a pause.] The Chair hears none, and it is so ordered.

#### LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. BRUMBAUGH, for one week, on account of important business.

#### CONTROLLING IMPORTATION OF DYE STUFFS.

Mr. GREEN of Iowa. Mr. Speaker, I present a unanimous report from the Committee on Ways and Means with reference to extending the control of importations of dyestuffs to January 15, 1920, and ask unanimous consent for the present consideration.

The SPEAKER. The gentleman from Iowa asks unanimous consent for the present consideration of a resolution, which the Clerk will report.

The Clerk read as follows:

Joint resolution (H. J. Res. 249) to continue the control of imports of dyes and coal-tar products.

*Resolved, etc., That notwithstanding the prior termination of the present war, the provisions of the trading-with-the-enemy act, approved October 6, 1917, and of any proclamation of the President issued in pursuance thereof which prohibit or control the importation into the United States of dyes or other products derived directly or indirectly from coal tar, are continued until January 15, 1920.*

Mr. GREEN of Iowa. Mr. Speaker, if I may be permitted a moment to explain the reason for this, the House will observe that this resolution only continues the operation of the trading-with-the-enemy act until January 15, 1920. This resolution not only has the unanimous report of the Committee on Ways and Means of the House, but has been unanimously reported by the Finance Committee of the Senate. Owing to the parliamentary situation in the Senate and the adoption of the cloture rule, while, as I understand it, no one in the Senate is opposed to the resolution, still there were Members of the Senate who thought unanimous consent ought not to be given for its consideration while the cloture rule is pending, and that has prevented its being adopted by the Senate.

Mr. KITCHIN. Mr. Speaker, will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. KITCHIN. As I understand it, and it so appeared before our committee, the dye-consuming industries of the country are perfectly willing to have this resolution passed.

Mr. GREEN of Iowa. Yes.

Mr. KITCHIN. They have no objection to it, although they did oppose the licensing feature in the dyestuffs bill which passed some time ago. The same people who opposed that have waived all objections to this, and think that this is necessary. That is true, is it not?

Mr. GREEN of Iowa. That is true. The consumers of dyes, the ones who are most interested in the matter, have waived all objection and have consented to the passage of this resolution. They have been thoroughly consulted in the matter.

Mr. TAYLOR of Colorado. Mr. Speaker, will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. TAYLOR of Colorado. Why is it that it is limited to the 15th of January, 1920? Is something to happen between now and then?

Mr. GREEN of Iowa. It is hoped that by that time we will have legislation covering it. The gentleman will remember that the dyestuffs bill proposing a tariff on dyestuffs and also providing for a license system passed this House some time ago, but owing to the consideration of the treaty in the Senate it has not been taken up by that body and can not be taken up at this session. It is considered, however, that by January 15 the Senate will be able to take up and dispose of the dyestuffs bill.

Mr. TAYLOR of Colorado. I was wondering if we would not have to pass another resolution owing to the lack of speed with which other people sometimes work?

Mr. GREEN of Iowa. I can not say.

Mr. BANKHEAD. Mr. Speaker, will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. BANKHEAD. Under the provisions of the trading-with-the-enemy act, when does that act expire by limitation?

Mr. GREEN of Iowa. It expires on the exchange of the ratification of the treaty of peace.

The SPEAKER. Is there objection to the immediate consideration of the joint resolution? [After a pause.] The Chair hears none.

Mr. GREEN of Iowa. Mr. Speaker, I understand that this is on the Union Calendar, and I ask unanimous consent that it be considered in the House as in the Committee of the Whole House on the state of the Union.

The SPEAKER. The gentleman from Iowa asks unanimous consent that this joint resolution be considered in the House as in the Committee of the Whole House on the state of the Union. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the joint resolution.

The Clerk read as follows:

Joint resolution (H. J. Res. 249) to continue the control of imports of dyes and coal-tar products.

*Resolved, etc., That notwithstanding the prior termination of the present war, the provisions of the trading-with-the-enemy act, approved October 6, 1917, and of any proclamation of the President issued in pursuance thereof which prohibit or control the importation into the United States of dyes or other products derived directly or indirectly from coal tar, are continued until January 15, 1920.*

Mr. MANN of Illinois. Will the gentleman yield for a question?

Mr. GREEN of Iowa. I will.

Mr. MANN of Illinois. Under the existing law that will run until the exchange and ratification of the treaty?

Mr. GREEN of Iowa. It will.

Mr. MANN of Illinois. Suppose the ratification of the treaty does not occur until after January 15. In the language in which it seems to be written will it then have the effect of restricting the operation of the law to January 15?

Mr. GREEN of Iowa. It will not. It will have no effect at all.

Mr. MANN of Illinois. I am not sure.

Mr. GREEN of Iowa. I will yield to the gentleman from Ohio [Mr. LONGWORTH].

Mr. LONGWORTH. I think the wording of the resolution simply provides notwithstanding prior termination it shall be continued. I think should the war last longer than that unquestionably the powers of the war will continue.

Mr. MANN of Illinois. It may, although the language of the resolution would indicate that Congress was of the impression it ought to stop on January 15.

Mr. LONGWORTH. I do not think that is the construction that would be placed upon it.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. GREEN of Iowa, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

#### REIMBURSEMENT TO THE UNITED STATES FOR MOTIVE POWER, ETC., BOUGHT FOR RAILROADS.

Mr. MERRITT. Mr. Speaker, by instruction from the Committee on Interstate and Foreign Commerce I rise to ask unanimous consent for the consideration of the bill S. 3319.

The SPEAKER. The gentleman from Connecticut asks unanimous consent for the immediate consideration of the Senate bill 3319. Is there objection?

Mr. MANN of Illinois. Let it be read.

Mr. BLANTON. May we have it reported?

The SPEAKER. The Chair thought perhaps the gentleman from Connecticut might explain it in a shorter time. It can be reported if anyone wishes.

Mr. BLANTON. And unanimous consent will be preferred after that?

The SPEAKER. Certainly; it has not been granted.

Mr. WALSH. Mr. Speaker, I think the bill ought to be reported at least by title before the gentleman proceeds.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

An act (S. 3319) to provide for the reimbursement of the United States for motive power, cars, and other equipment ordered for railroads and systems of transportation under Federal control, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to make provision for the reimbursement of the United States for the sums advanced to provide motive power, cars, and other equipment ordered by the President for the railroads and systems of transportation now under*



Federal control, herein called "carriers," pursuant to the authority conferred by the second paragraph of section 6 of the act of March 21, 1918, the President may, upon such terms as he shall deem advisable, receive in reimbursement cash, or obligations of any carrier, or part cash and part such obligations, or in his discretion he may accept for such motive power, cars, or other equipment cash or the shares of stock or obligations, secured or unsecured, of any corporation, not a carrier, organized for the purpose of owning equipment or equipment obligations, or part cash and part such shares of stock and obligations, and he may transfer to such corporation any obligations of carriers received on account of motive power, cars, or other equipment, and he may execute any instruments necessary and proper to carry out the intent of the second paragraph of section 6 of said act of March 21, 1918, to the end that title to the motive power, cars, and other equipment so ordered by the President as aforesaid for the carriers may rest in them or their trustees or nominees.

In addition to the powers herein and heretofore conferred, the President is further authorized to dispose, in the manner and for the consideration aforesaid, of motive power, cars, and other equipment, if any, provided by him in accordance with any other provisions of said section, and of any obligations of carriers that may be received in reimbursement of the cost thereof.

SEC. 2. That any contract for the sale of any motive power, cars, or other equipment ordered or provided under any of the provisions of section 6 of said act of March 21, 1918, may provide that title thereto, notwithstanding delivery of possession, shall not vest in the carrier until the purchase price, which may be payable in installments during any period not exceeding 15 years, shall be fully paid and the conditions of purchase fully performed. Any such contract shall be in writing and acknowledged or proved before some person authorized to administer oaths, and filed with the Interstate Commerce Commission within 60 days after the delivery thereof, and shall be valid and enforceable as against all persons whomsoever.

SEC. 3. That nothing herein contained shall be deemed to abrogate or limit the powers conferred upon the President by said act of March 21, 1918.

SEC. 4. That the President may execute any of the powers herein granted through such agencies as he may determine.

SEC. 5. That this act is emergency legislation, enacted to meet conditions growing out of war and to effectuate said act of March 21, 1918.

Mr. MERRITT. Mr. Speaker—

Mr. WALSH. Has the gentleman secured consent?

The SPEAKER. The Chair has not put the consent yet.

Mr. MERRITT. Mr. Speaker, this is an enabling act to allow the President to make the necessary arrangements to finance the equipment of locomotives and cars which the Railroad Administration has bought during the war and allocated—

Mr. BLANTON. Will the gentleman yield. The House was assured by the gentleman from Wyoming yesterday that after the passage of the railroad bill and this dyestuff resolution that there would be no other business taken up by the House.

Mr. MERRITT. That is true. I will say to the gentleman, however, that it was the intention of everyone to act on that statement—

Mr. BLANTON. I just want to call attention to the fact that if an adjournment is delayed very much longer the men who live on the other side of St. Louis and Kansas City down in the Southwest will not have very much time to get away from here and get home, and this is such important legislation I think we ought to have a quorum present, and I make the point.

Mr. MERRITT. The gentleman will find when he understands this that it will not take—

Mr. BLANTON. Has the gentleman bought his transportation to Connecticut?

Mr. MERRITT. I have.

Mr. BLANTON. The gentleman expects to get away to Connecticut, does he not?

Mr. MERRITT. I hope so. If the gentleman will allow me to finish this—

Mr. BLANTON. The gentleman and his colleagues who likewise expect to get away are just as anxious as the gentleman is, and we live a little farther.

Mr. MERRITT. But it will not take 10 minutes if the gentleman will allow me to go on. This is brought up at the special request of the Railway Administration, who want to finance \$400,000,000 of equipment which they bought for the Government. The effect of this bill is to insure to the President power which present legislation is thought to give him, but it is not certain. Now, if this bill is passed—

Mr. MONDELL. Will the gentleman yield to me?

Mr. MERRITT. I will.

Mr. MONDELL. The attorney of the Railroad Administration, Mr. Sherley, called me up this morning and called my attention to the important character of this legislation. That is, he said that in his opinion it was important that it be passed now, inasmuch as it relieves the Federal Government, in a way, of a very considerable obligation that will be taken over by the car equipment trust that is provided for.

Mr. MERRITT. The provisions of the arrangement which are permitted will be that title to all these engines and cars will be given to a corporation which is to be formed with the approval of the Railroad Administration, and the bankers have agreed to take enough of these trust certificates to provide the United States with \$200,000,000 of cash, which otherwise the

Government could not have. If this bill is not passed, then the United States may have to carry these obligations for some years, but it is expected the United States will be immediately reimbursed by \$200,000,000 of cash, and they will have obligations of this car trust corporation secured by the collateral of the engines and cars, so that they will be certain to be repaid the entire debt of approximately \$400,000,000 by the time the car trust matures.

Mr. ESCH. Will the gentleman yield?

Mr. MERRITT. I will.

Mr. ESCH. Unless this bill goes through the Government would not be able to realize possibly more than \$100,000,000? If it goes through it immediately realizes \$225,000,000?

Mr. MERRITT. Yes.

Mr. SNELL. Will the gentleman yield for a further question?

Mr. MERRITT. I will.

Mr. SNELL. This is one proposition in connection with the return of the railroads that the House committee entirely agrees upon, together with the Senate and the Railway Administration?

Mr. MERRITT. Yes, sir; the bill has been passed by the Senate.

Mr. SNELL. It is one thing that everybody agrees upon?

Mr. MERRITT. It is one thing that everybody agrees upon. I have heard no objection.

Mr. KITCHIN. If I understand it, this practically would enable the Government, if passed, to get \$200,000,000 right off the bat from the railroads?

Mr. MERRITT. It would.

Mr. KITCHIN. And if this does not pass, the Government will have to carry that \$200,000,000 for 10 or 15 years?

Mr. MERRITT. That is correct.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. MERRITT. Mr. Speaker, I ask that the bill be considered in the House as in the Committee of the Whole.

The SPEAKER. The gentleman from Connecticut asks unanimous consent that the bill be considered in the House as in the Committee of the Whole. Is there objection? [After a pause.] The Chair hears none. The Clerk will read the bill.

The Clerk read as follows:

*Be it enacted, etc.,* That in order to make provision for the reimbursement of the United States for the sums advanced to provide motive power, cars, and other equipment ordered by the President for the railroads and systems of transportation now under Federal control, herein called "carriers," pursuant to the authority conferred by the second paragraph of section 6 of the act of March 21, 1918, the President may, upon such terms as he shall deem advisable, receive in reimbursement cash, or obligations of any carrier, or part cash and part such obligations, or in his discretion he may accept for such motive power, cars, or other equipment, cash or the shares of stock or obligations, secured or unsecured, of any corporation, not a carrier, organized for the purpose of owning equipment or equipment obligations, or part cash and part such shares of stock and obligations, and he may transfer to such corporation any obligations of carriers received on account of motive power, cars, or other equipment, and he may execute any instruments necessary and proper to carry out the intent of the second paragraph of section 6 of said act of March 21, 1918, to the end that title to the motive power, cars, and other equipment so ordered by the President as aforesaid for the carriers may rest in them or their trustees or nominees.

In addition to the powers herein and heretofore conferred, the President is further authorized to dispose, in the manner and for the consideration aforesaid, of motive power, cars, and other equipment, if any, provided by him in accordance with any other provisions of said section, and of any obligations of carriers that may be received in reimbursement of the cost thereof.

Also the following committee amendment was read:

Page 2, line 21, strike out the words "any other provisions" and insert the words "the first paragraph."

Mr. ESCH. Mr. Speaker, in view of the fact that voting in the bill of the committee amendments, which were practically verbal, relating to punctuation and the insertion of paragraphs instead of sections, I think the amendments recommended and made by the committee should be voted down, so that there will be no further action necessary on the part of the Senate.

The SPEAKER. The question is on the committee amendment.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

SEC. 2. That any contract for the sale of any motive power, cars, or other equipment ordered or provided under any of the provisions of section 6 of said act of March 21, 1918, may provide that title thereto, notwithstanding delivery of possession, shall not vest in the carrier until the purchase price, which may be payable in installments during any period not exceeding 15 years, shall be fully paid and the conditions of purchase fully performed. Any such contract shall be in writing, and acknowledged or proved before some person authorized to administer oaths, and filed with the Interstate Commerce Commission within 60 days after the delivery thereof, and shall be valid and enforceable as against all persons whomsoever.

The following committee amendment was read:

Committee amendment, page 3, line 1, after the word "of," where it appears the second time in the line, insert "the first or second paragraph of."

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

SEC. 5. That this act is emergency legislation, enacted to meet conditions growing out of war and to effectuate said act of March 21, 1918.

Mr. WALSH. Mr. Speaker, I would like to ask the gentleman what section 5 is intended to imply? That because this is emergency legislation the Executive has additional power, or that it—

Mr. MERRITT. I do not think it adds anything to the power which he has under the act of March 21, 1918. It is to make certain that the power he has will be acceptable to the counsel for the bankers.

Mr. WALSH. If that was not in there the bankers might default?

Mr. MERRITT. So far as I know.

Mr. ESCH. Will the gentleman yield? I think the language inserted by the person who drafted it was on account of a section of the Federal reserve act, which is as follows:

That this act is expressly declared to be emergency legislation enacted to meet conditions growing out of war.

Mr. WALSH. Of course, the Federal control act would be invalid if that particular paragraph did not appear.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. MERRITT, a motion to reconsider the vote by which the bill was passed was laid on the table.

#### BRIDGES AT CHINCOTEAGUE ISLAND, VA.

Mr. MONTAGUE. Mr. Speaker, I ask unanimous consent for the present consideration of Senate bill (S. 2961) to authorize the county of Accomac, Va., to construct certain bridges to connect Chincoteague Island with the mainland.

The SPEAKER. The gentleman from Virginia asks unanimous consent for the immediate consideration of the bill which the Clerk will report.

The Clerk read as follows:

A bill (S. 2961) authorizing the county of Accomac, Va., to construct certain bridges to connect Chincoteague Island and the mainland.

The SPEAKER. Is there objection to the consideration of the bill?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

*Be it enacted, etc.,* That the county of Accomac, in the State of Virginia, be, and it is hereby, authorized to construct, maintain, and operate, at points suitable to the interests of navigation, six highway bridges and approaches thereto across Mosquito Creek, Cockle Creek, Queen Sound, Wire Narrows, Black Narrows, and Chincoteague Channel for the purpose of connecting Chincoteague Island to the mainland, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Mr. MONTAGUE. Mr. Speaker, I ask leave to amend the bill in accordance with the amendment which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the amendment offered by the gentleman from Virginia.

The Clerk read as follows:

Amendment offered by Mr. MONTAGUE: Page 1, line 3, after the word "the," where it first appears in the line, strike out the words "county of Accomac, in the State of Virginia," and insert "Chincoteague Toll Road & Bridge Co. (Inc.), a corporation created by and existing under the laws of the Commonwealth of Virginia."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the third reading of the Senate bill as amended.

The Senate bill as amended was ordered to be read a third time, was read the third time, and passed.

Mr. MONTAGUE. Mr. Speaker, I ask unanimous consent that the Clerk may be instructed to change the title of the bill to conform to the amendment which has just been adopted.

The SPEAKER. The gentleman from Virginia asks unanimous consent that the Clerk may be instructed to change the title of the bill to conform to the amendment. Is there objection?

There was no objection.

On motion of Mr. MONTAGUE, a motion to reconsider the vote whereby the Senate bill was passed was laid on the table.

Mr. GARRETT. Mr. Speaker, is there a similar bill on the House Calendar?

The SPEAKER. The Chair is not advised.

#### EXTENSION OF REMARKS.

Mr. GREENE of Vermont. Mr. Speaker, I ask unanimous consent to extend my remarks by printing the correspondence with the Federal Railroad Administration in regard to a point of constitutional law involved in the original taking over of the railroads.

The SPEAKER. The gentleman from Vermont asks unanimous consent to extend his remarks by printing correspondence with the Railroad Administration in regard to a point of constitutional law in taking over the railroads. Is there objection?

There was no objection.

Mr. SLEMP. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record on the coal strike.

The SPEAKER. The gentleman from Virginia asks unanimous consent to extend his remarks on the coal strike. Is there objection?

Mr. BLANTON. Reserving the right to object, Mr. Speaker, are they the gentleman's own remarks, with no insertions?

Mr. SLEMP. They are my own remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. HULINGS. Mr. Speaker, I ask unanimous consent to address the House for three minutes.

The SPEAKER. Will the gentleman reserve that for a moment?

Mr. HULINGS. Yes.

The SPEAKER. In the meantime the Chair will recognize the gentleman from Illinois [Mr. IRELAND], or the gentleman from Michigan [Mr. MAPES], from the Committee on Accounts.

#### EMIL EDWARD HURJA.

Mr. MAPES. Mr. Speaker, I present a privileged resolution from the Committee on Accounts.

The SPEAKER. The gentleman from Michigan asks unanimous consent for the consideration of a resolution, which the Clerk will report.

Mr. MANN of Illinois. It is privileged.

The Clerk read as follows:

*Resolved*, That the Clerk of the House of Representatives be, and he is hereby, authorized and directed to pay out of the contingent fund of the House to Emil Edward Hurja, clerk to the late Hon. Charles A. Sulzer, a Delegate in Congress from Alaska at the time of his death, April 15, 1919, the sum of \$166.66, being an amount equal to one month's salary of a clerk of a Delegate in Congress.

The SPEAKER. Is there objection to the immediate consideration of the resolution?

Mr. LANKFORD. Mr. Speaker, reserving the right to object, is there any way to ascertain how long this unanimous-consent matter is going on? There are a great many of us who want to go home, and if we are to be tied up by unanimous consents we can not go to-day.

Mr. MAPES. We have only two or three resolutions.

Mr. LANKFORD. I think I shall have to object.

Mr. MONDELL. I will say to the gentleman that no unanimous consents will be asked except as to some minor matters of accounts.

Mr. LANKFORD. They are causing delay.

Mr. SIMS. There will not be any roll call anyway. Nobody will know whether any gentleman has gone or not.

The SPEAKER. Is there objection to the consideration of the resolution?

There was no objection.

The SPEAKER. The Clerk will report it.

The resolution was again read.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

#### SESSION EMPLOYEES OF THE HOUSE.

Mr. IRELAND. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk and ask that it be read.

The SPEAKER. The gentleman from Illinois asks unanimous consent for the present consideration of the resolution which the Clerk will report.

The Clerk read as follows:

*Resolved*, That the session employees of the House of Representatives shall be paid for the entire month of November, 1919, and a sum sufficient to pay such employees from the date of adjournment of the present session to and including November 30, 1919, shall be paid from the contingent fund of the House.



The SPEAKER. Is there objection to the immediate consideration of the resolution?

Mr. MANN of Illinois. Mr. Speaker, I should like to ask if the House is going to adjourn—is Congress going to adjourn—before the 28th or 29th of the month?

Mr. MONDELL. Mr. Speaker, if that inquiry is directed to me—

Mr. MANN of Illinois. Well, it is—

Mr. MONDELL. I will say that we hope that the conditions will be such and matters will so develop in the Senate to-day that we can secure an agreement upon a resolution of adjournment by to-morrow. [Applause.] We are not absolutely certain in regard to that; but in the meantime, Mr. Speaker, there will be no business transacted in the House.

Mr. MANN of Illinois. That is what the gentleman stated yesterday. Yet we are running along, transacting business to-day—

Mr. MONDELL. By unanimous consent.

Mr. MANN of Illinois. I know; but the man who is away from here can not object. The man who is away, on the assurance that there will be no business transacted, can not object.

Mr. MONDELL. The assurance was that there was going to be no legislation of importance. I assume that no one will object to the payment of the salaries of the employees of the House for the few days at the end of the session.

Mr. MANN of Illinois. But we passed a bill this morning involving \$400,000,000. It may be that in my absence Congress has gotten to the pass where \$400,000,000 is of minor consideration, but I still have the old-fashioned idea that it is of some importance.

Mr. MONDELL. I am sorry that the gentleman from Illinois has not been here for some time, and I am delighted that he is here now; but in his absence I think it was generally understood in the House that the car or equipment trust bill would be brought up immediately after the consideration of the railroad bill and passed.

Mr. MANN of Illinois. I did not object to it.

Mr. MONDELL. It was not called up last night, but at the urgent request of the Director of the Division of Finance of the Railway Administration, Mr. Sherley, an esteemed former Member of this House, it was called up this morning. It is a matter that the Members of the House have understood to be one of the things that ought to be disposed of before we adjourn.

Mr. MANN of Illinois. That has nothing to do with the question as to what we are going to do in the future. Now, there is a resolution pending—

Mr. MONDELL. As far as I am concerned, I shall make the motion to adjourn if a motion to transact business is made. There are one or two minor matters from the Committee on Accounts which, if they were agreed to, would practically dispose of the chips and whetstones that remain.

Mr. KITCHIN. The gentleman means that he will make that motion after to-day?

Mr. MONDELL. Yes.

Mr. SIMS. Why not pass the resolution of adjournment to-day, to take effect to-morrow? Then if the Senate amends it we can come back and agree to the amendment.

Mr. MONDELL. I think the conditions will clear to-day so that we can secure the passage of an adjournment resolution to-morrow.

Mr. MANN of Illinois. Will the gentleman tell us whether that resolution of adjournment contemplates the immediate adjournment of Congress, both the House and the Senate, or whether it contemplates adjournment of the House by permission of the Senate, and later the adjournment of the Senate?

Mr. MONDELL. That is what we had in mind, that there would either be a concurrent resolution which would allow either body to adjourn when its business was concluded, or a resolution passed by each of the two bodies giving its consent to the adjournment of the other. That would fulfill the constitutional requirement, and we hope to secure one or the other of these arrangements to-morrow. In the meantime no further business of importance will be transacted. I understand there are one or two small resolutions from the Committee on Accounts, but I shall move to adjourn if a motion is made to transact any important business.

Mr. WINGO. The gentleman does not intend to shut out the conference report on the foreign finance bill, does he?

Mr. MONDELL. I do not intend to shut it out, no; but my opinion is that the understanding we have had is such that we can not in good faith now take up the conference report.

Mr. WINGO. To what understanding does the gentleman refer? The gentleman may have had that understanding with gentlemen who put their desire to go home above the public business.

Mr. MONDELL. I do not believe that any interest will be injured or that there will be any loss to the public or the public service if that bill does not become a law until the 1st of December. But at any rate Members are anxious to get home. They were promised that they could go home after the passage of the railroad bill. The understanding was that business would not be transacted after that, and it seems to me the bill to which the gentleman refers is not a vital piece of legislation, the benefits of which will be less by reason of a few days' delay, although it is very important, and ought eventually to be placed upon the statute books.

Mr. WINGO. If the gentleman will permit me, I will say this much: As far as I am concerned, I think in the present condition of foreign exchange, and the effect it is having upon products all over the United States, it would be folly for Congress to adjourn with the conference report on the calendar, and I for one am not a party to any such agreement, and I will use every method I have to prevent adjournment with the situation like it is. The moral effect of quickly agreeing to that bill will be great. [Applause.]

Mr. MANN of Illinois. Mr. Speaker, I believe the best thing Congress can do, the House especially, is to adjourn and go home. [Applause.]

Mr. SIMS. I want to help it.

Mr. MANN of Illinois. I am not going home. I have just come from seeing my constituents, but the House ought to have an understanding, either that it will or will not do business. Members who are told that they can go away have the right to know that matters will not come up and be considered in their absence. No one knows what some Member might wish to object to. Either we will stay here and do business with a quorum, or there will be no further business transacted after to-day in the House.

Mr. LONGWORTH. I agree with the gentleman that we ought not to transact any important business, but does the gentleman think it would be wise for the House to take a formal adjournment until after the treaty is disposed of in the Senate?

Mr. MANN of Illinois. I think it would be wise for the House to take a formal adjournment before the next session of Congress. That answers the gentleman's question.

Mr. LONGWORTH. I do not think it specifically answers it.

Mr. MANN of Illinois. Oh, I think it does.

Mr. SIMS. Will it not take a quorum to adjourn?

Mr. MANN of Illinois. It does not take a quorum to adjourn.

Mr. SIMS. I mean to adjourn the session of Congress until December.

Mr. MANN of Illinois. Whether that be so or not, if Members are told that they can go home, there ought to be an understanding that there will be no business transacted in their absence.

Mr. SIMS. That is right; but what about the point of no quorum? We have heard what the gentleman from Arkansas said.

Mr. MANN of Illinois. It does not make any difference. If Members are told that they can go home, there will be no other business transacted.

Mr. SIMS. I would like to see an adjournment resolution passed, and the question is, Will we have a quorum to do it?

The SPEAKER. The question is on agreeing to the resolution offered by the gentleman from Illinois [Mr. IRELAND].

The resolution was agreed to.

Mr. MONDELL. I hope that by to-morrow we can secure an agreement for an adjournment of Congress. I now move that the House adjourn.

Mr. HULINGS. I hope the gentleman will reserve that motion for a moment.

Mr. KITCHIN. Are you not going to let the Committee on Accounts get in its resolutions?

Mr. WINGO. Why can we not get up the conference report on the foreign finance bill? It is ready, and the House will agree to it, because the House got everything in the conference report.

Mr. SANFORD. Regular order!

Mr. HULINGS. I ask unanimous consent that I may proceed for three minutes.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. HULINGS. Mr. Speaker, I have sought this opportunity to bring to the attention of the House a matter that is being bruited about all over the country in the public press. I refer particularly to the press reports that were made the other morning concerning the cruelty and extreme harshness with which the military prisoners are treated up here at Fort Jay, N. Y. I

have also had some private communications from inmates and others concerning an institution making complaints of harshness and cruelty to enlisted men of the United States Army, and I have introduced a resolution of this import:

Whereas if these charges are untrue, scandalous, and libelous, the general public should be informed of their falsity and the military authorities be relieved of unjust reproach; and  
Whereas if these charges are true, the military authorities responsible therefor should be subject to prompt and condign punishment.

Therefore I have introduced a resolution that a committee of three of the House be appointed for the purpose of going to Fort Jay and investigating the whole matter. That resolution has been referred to the Committee on Rules, and if it is in order, Mr. Speaker, I would ask unanimous consent for its immediate consideration.

The SPEAKER. It is not in order.

Mr. HULINGS. I wanted to bring those charges to the attention of the House. These charges are being brought on all hands. The kinsfolk of these men are agitated and alarmed and indignant. Complaints are coming from the men, and the truth or falsity of the charges ought to be investigated. The Adjutant General yesterday morning denied the truth of them, but I doubt whether he knows anything about it. The people responsible for the conduct of that institution certainly would not report to him that there was anything wrong with the management.

Mr. GARRETT. Will the gentleman yield?

Mr. HULINGS. I will.

Mr. GARRETT. At what point in New York did the gentleman mention?

Mr. HULINGS. Fort Jay.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. GARRETT. I ask that the gentleman have one minute more.

The SPEAKER. Is there objection?

There was no objection.

Mr. GARRETT. I am asking for information. Is that the same point at which one of the subcommittees on expenditures in the War Department took testimony?

Mr. HULINGS. I do not know.

Mr. GARRETT. One of the subcommittees of the Committee on Expenditures, I think the one of which the gentleman from North Dakota [Mr. JOHNSON] is chairman made some investigation at some point in New York. I am not sure whether it was at this point or not.

Mr. HULINGS. I do not know what the fact is, but I do know that this matter ought to have some examination.

The SPEAKER. The time of the gentleman from Pennsylvania has again expired.

#### ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock p. m.) the House adjourned until to-morrow, Wednesday, November 19, 1919, at 12 o'clock noon.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. RUBEY: A bill (H. R. 10652) to provide for the erection of a post-office building at Mountain Grove, Mo.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 10653) to provide for the erection of a post-office building at Lebanon, Mo.; to the Committee on Public Buildings and Grounds.

By Mr. MILLER: A bill (H. R. 10654) to amend section 24 of the act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916; to the Committee on Military Affairs.

By Mr. McFADDEN: A bill (H. R. 10655) to repeal section 16 of the act of Congress approved July 17, 1916, known as the Federal farm loan act; to the Committee on Banking and Currency.

By Mr. RANDALL of California: A bill (H. R. 10656) to authorize air mail service between New York, N. Y., and Los Angeles and San Francisco, Calif.; to the Committee on the Post Office and Post Roads.

By Mr. HADLEY: A bill (H. R. 10657) to construct a public building for a post office at the city of Port Angeles, Wash.; to the Committee on Public Buildings and Grounds.

By Mr. WALSH: A bill (H. R. 10658) for the improvement of the harbor at Scituate, Mass.; to the Committee on Rivers and Harbors.

By Mr. TINKHAM: Resolution (H. Res. 394) requesting the Attorney General to furnish to the House of Representatives certain information regarding the fixing the price of sugar; to the Committee on the Judiciary.

#### PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CANTRILL: A bill (H. R. 10659) granting an increase of pension to Jane Polsgrove; to the Committee on Pensions.

By Mr. CHINDBLOM: A bill (H. R. 10660) granting an increase of pension to Lula M. Jones; to the Committee on Invalid Pensions.

By Mr. DEWALT: A bill (H. R. 10661) granting an increase of pension to James D. Ash; to the Committee on Invalid Pensions.

By Mr. HICKEY: A bill (H. R. 10662) granting a pension to Frances E. Parmater; to the Committee on Invalid Pensions.

By Mr. HOCH: A bill (H. R. 10663) granting an increase of pension to Robert S. McCreary; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10664) granting an increase of pension to Margaret Patton; to the Committee on Invalid Pensions.

By Mr. IRELAND: A bill (H. R. 10665) granting an increase of pension to Noah C. Reichelderfer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10666) granting a pension to Nellie F. Boyd; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10667) granting an increase of pension to Lavina Humfrey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10668) granting an increase of pension to Joseph Black; to the Committee on Invalid Pensions.

By Mr. LONERGAN: A bill (H. R. 10669) granting an increase of pension to Lillian Brown; to the Committee on Invalid Pensions.

By Mr. McPHERSON: A bill (H. R. 10670) granting a pension to George Wilson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10671) for the relief of Catharine Bedell; to the Committee on Military Affairs.

By Mr. MILLER: A bill (H. R. 10672) for the relief of George D. Root; to the Committee on Claims.

By Mr. SELLS: A bill (H. R. 10673) granting an increase of pension to J. F. Smith; to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BYRNS of Tennessee: Papers accompanying the bill (H. R. 10624) granting an increase of pension to Mary S. Wilson; to the Committee on Pensions.

By Mr. ELSTON: Resolutions of the Berkeley Defense Corps, Berkeley, Calif., recommending acceptance by the United States of a mandatory for Armenia; to the Committee on Foreign Affairs.

By Mr. FULLER of Illinois: Petition of Eli Bowyer Post, No. 92, Department of Illinois, Grand Army of the Republic, supporting general pension bill, House bill 9369; to the Committee on Invalid Pensions.

By Mr. McGLENNON: Petition of the Grand Lodge of the Benevolent and Protective Order of Elks, for the enactment of House bill 1412, known as the Mondell bill; to the Committee on the Public Lands.

By Mr. MOORE of Pennsylvania: Resolution of the Philadelphia Chamber of Commerce, approving the action taken by the Department of Justice for the suppression of radicalism in the United States; also urging Congress to amend immigration laws so as to exclude from the country undesirable aliens; to the Committee on the Judiciary.

By Mr. O'CONNELL: Petition of Detectives' Endowment Association of the city of New York, favoring the passage of House bill 6659; to the Committee on Expenditures in the Treasury Department.

By Mr. SINCLAIR: Petition of executives of American Train Dispatchers' Association, Railroad Yardmasters of America, Railway Traveling Auditors' Association, Roadmasters and Supervisors' Association, and National Order of Railroad Claim Men, asking that Congress safeguard semiofficial employees of the railroads in pending railroad legislation in the right to have their grievances as to wages or discriminations settled in the courts created for adjustment of grievances of the classified employees; to the Committee on Interstate and Foreign Commerce.



Also, petition of Lodge No. 42, International Association of Machinists, Williston, N. Dak., protesting against the return of the railroads to private operation, and protesting against the labor organizations liability clause in the Esch bill; to the Committee on Interstate and Foreign Commerce.

By Mr. YOUNG of North Dakota: Petition of North Dakota Educational Institution, adopted at Minot, N. Dak., indorsing the Smith-Towner bill; to the Committee on Education.

## SENATE.

WEDNESDAY, November 19, 1919.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we come before Thee as we face the tremendous responsibilities of this hour. The welfare of millions is dependent upon the action of the Senate. We would seek the guidance of the God of our fathers in the performance of our duty. We pray for Thy spirit, the spirit of wisdom and counsel, the spirit of a sound mind, that we may do our duty as in God's sight, and so well perform it as that it may have Thy approval. We ask for Jesus' sake. Amen.

### TREATY OF PEACE WITH GERMANY.

The VICE PRESIDENT. The Chair lays before the Senate the treaty of peace with Germany.

The Senate, in open executive session, resumed the consideration of the treaty of peace with Germany.

Mr. LODGE. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hale	McNary	Smith, Ariz.
Ball	Harding	Moses	Smith, Ga.
Bankhead	Harris	Myers	Smith, Md.
Beckham	Harrison	Nelson	Smith, S. C.
Borah	Henderson	New	Smoot
Brandegee	Hitchcock	Newberry	Spencer
Calder	Johnson, Calif.	Norris	Stanley
Capper	Johnson, S. Dak.	Nugent	Sterling
Chamberlain	Jones, N. Mex.	Overman	Sutherland
Coll	Jones, Wash.	Owen	Swanson
Culberson	Kellogg	Page	Thomas
Cummins	Kendrick	Penrose	Townsend
Curtis	Kenyon	Phelan	Trammell
Dial	Keyes	Phipps	Underwood
Dillingham	King	Pittman	Wadsworth
Edge	Kirby	Polindexter	Walsh, Mass.
Elkins	Knox	Pomerene	Walsh, Mont.
Fernald	La Follette	Ransdell	Warren
Fletcher	Lenroot	Reed	Watson
Frelinghuysen	Lodge	Robinson	Williams
Gay	McCormick	Sheppard	Wolcott
Gerry	McCumber	Sherman	
Gore	McKellar	Shields	
Gronna	McLean	Simmons	

The VICE PRESIDENT. Ninety-three Senators have answered to the roll call. There is a quorum present.

Mr. LODGE. Mr. President, I present the resolution of ratification, including the reservations adopted by the Senate. I am very sorry that we have not copies of it. I am told that it will be here in a few moments, so that every Senator can have a copy.

Mr. President, I understood that it was desired that the Senator from Nebraska [Mr. HITCHCOCK] might have the opportunity to offer for the resolution which I have moved a substitute ratifying the treaty without any reservation or amendment whatever, just as it stands. If the Senator desires to do so, I ask unanimous consent that he may be permitted to offer as a substitute for the resolution I have presented a resolution ratifying the treaty without any amendment or reservation.

Mr. FLETCHER. Mr. President, I call the Senator's attention to the use of language which is somewhat different in the resolution as printed from the reservation adopted by the Senate. I refer to the first reservation, where it reads—

The reservations and understandings adopted by the Senate are.

And so forth. Instead of the word "understandings" the Secretary read "conditions."

Mr. LODGE. The word "conditions" was put in by a mistake. That is not the way the reservation was adopted. The language ought to be "reservations and understandings."

Mr. FLETCHER. But the resolution does not contain the word "understandings"; it contains the word "conditions."

Mr. LODGE. It must contain the word "understandings." I want to say to the Senator that in some way the language of the first sentence has been incorrectly stated. The correct reading of the first resolution is "reservations and understandings."

Mr. FLETCHER. I think as it has been read, if the Senator will allow me, the word "conditions" has been used instead of "understandings."

Mr. LODGE. The word "conditions" was not intended and has no business there.

Mr. FLETCHER. I am speaking of the resolution as it was read.

Mr. LODGE. There has been omitted the clause "which are hereby made a part and a condition of the resolution of ratification." That is the phrase which was used. On yesterday in conjunction with the officials at the desk I arranged a correct copy of the resolution, but I understand the Secretary can not give me that copy now, it having gone to the Printing Office. However, it is not correctly stated. I am sorry to delay the Senate but I must make it correct. [A pause.]

I now have a corrected copy as it was adopted by the Senate. I am using the committee print which has just come from the printer from which is omitted one clause which Senators can put in for themselves. As corrected the resolution reads:

*Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the treaty of peace with Germany concluded at Versailles on the 28th day of June, 1919, subject to the following reservations and understandings, which are hereby made a part and condition of this resolution of ratification, which ratification is not to take effect or bind the United States until the said reservations and understandings adopted by the Senate have been accepted by an exchange of notes as a part and a condition of this resolution of ratification by at least three of the four principal allied and associated powers, to wit, Great Britain, France, Italy, and Japan.*

Mr. McCORMICK. Mr. President, will the Senator read the omitted clause a second time?

Mr. LODGE. The omitted clause, coming after the word "understandings," is "which are hereby made a part and condition of this resolution of ratification."

Mr. KNOX. Mr. President, a parliamentary inquiry. Has the Senate upon its Secretary's desk the absolute record of what we did, to which we can refer without any reference to what the printers have done, or what mistakes there may be in the print; or, are these original records sent to the printer?

The VICE PRESIDENT. They are not original records. As reservations are adopted they appear in the CONGRESSIONAL RECORD.

Mr. KNOX. Do they not appear in any minute book?

The VICE PRESIDENT. Oh, yes; certainly.

Mr. LODGE. They all appear in the Journal.

The VICE PRESIDENT. Yes; they all appear in the Journal.

Mr. LODGE. And they have all been taken from the Journal, and are in this print from the committee.

Mr. KNOX. Very well. Then we are in such a position that if we find an error here we can correct it by reference to the Journal. Is that the idea?

Mr. LODGE. Absolutely. They were taken carefully from the Journal last night.

I submitted a unanimous-consent request, Mr. President.

Mr. HITCHCOCK. Mr. President, I understand that the Senator from Massachusetts suggests that the Senate might give unanimous consent for us to propose a resolution of unqualified ratification to be voted on at this time.

I thank the Senator from Massachusetts for the suggestion; but it is the consensus of opinion over here that inasmuch as the Senate has already taken up these reservations and has committed itself to the reservations proposed by the Senator from Massachusetts, it would not be timely to propose now, while Senators are bound by pledges, a resolution of unqualified ratification. If the Senator will permit us to secure unanimous consent for such a resolution immediately following the vote upon his resolution, we shall be very glad to avail ourselves of it.

Mr. LODGE. Mr. President, of course, if the Senator does not care for the unanimous consent which I have asked for, I shall withdraw my request; but I can assure him that he is mistaken if he thinks that pledges have been given which will be set aside. There have been no pledges. The votes that have been given have been the free, undictated votes of the Senators on this side, and, in my judgment, they will not be modified by any talk of withdrawal of pledges.

Mr. SMITH of Georgia. Mr. President, I have given the best thought of which I was capable to this treaty and to these reservations. I have declined to allow my views to be controlled by those of any one else. There are parts of these reservations that do not accord exactly with what I would prefer.

The introductory resolution, I think, is ill-advised. I believe it would be much better if, by acquiescence, the other nations agreed to our action, and if our treaty with Germany was in no sense dependent even upon their acquiescence. I